MEMOIRS
OF
COL. JACKSON.
AND
Adj. Strong.

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1889

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MEMOIR

OF

WILLIAM A. JACKSON,

A

MEMBER OF THE ALBANY BAR,

AND

Colonel of the 18th Regiment, N. Y. Volunteers,

WHO DIED AT THE CITY OF WASHINGTON,

NOVEMBER 11, 1861.

PUBLISHED BY THE BAR OF THE CITY OF ALBANY.

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MEMOIR.

Col. William Ayrault Jackson was born in the city of Schenectady, N. Y., on the 29th day of March, 1832. His father, Isaac W. Jackson, was then Professor of Mathematics in Union College, of which he was a graduate, a position he has held uninterruptedly to the present time.

William was the eldest of the family. He fitted for college at home, under the instruction of his father, and entered at the early age of fifteen the Freshman Class of Union, at the commencement of the academic year in 1847.

During his collegiate career, he displayed marked and brilliant talents in various departments, and by the exhibition of the frank and generous qualities, which were characteristic of him, made among the under graduates of his time many and warm friends. He then more particularly won distinction as a forci-

ble and elegant extempore speaker, and skilful debater. In these accomplishments he was acknowledged to be without a rival among his college cotemporaries, and they were at a later period exercised with effect on the wider field of political discussion.

He graduated with honor in the summer of 1851, and during the succeeding year remained at home, devoting his attention to the study of general literature, and giving some of his time to the study of the law, that being the profession which he had chosen. Previous, however, to his regular entry upon his legal studies, and during the year 1852, he spent some months with an uncle, Mr. I. C. Chesbrough, a civil engineer, and at that time engaged upon the survey of the Albany and Susquehanna Rail Road. In December, 1852, he removed to the city of Albany, with some of the most prominent and influential families in which he was nearly connected, and entered the office of Marcus T. Reynolds, Esq. He also, about the same time, attended a course of lectures at the Albany Law School. He was admitted to the bar on the 10th of April, 1853, and immediately commenced the practice of his profession in Albany, which was his residence until his death.

Soon after the commencement of his legal career, he

formed a partnership with his cousin, Frederick Townsend, Esq., an accomplished gentleman, since so favorably known as Adjutant General of the State during the whole of Gov. King's and a part of Gov. Morgan's administration, who as Colonel of the 3d Regiment of New York Volunteers distinguished himself by his brilliant gallantry at the battle of Big Bethel, and is now a Major in the United States Infantry. They were associated during the whole of Colonel Jackson's connection with the law. For a short period, during the year 1857, Alfred Conkling, formerly United States District Judge of the Northern District of New York, was professionally connected with them, under the firm name of Conkling, Townsend & Jackson. On the 1st of May, 1858, their business association with Judge Conkling having previously terminated, they took as a partner Richard M. Strong, Esq., and the firm name was changed to Townsend, Jackson & Strong. This partnership continued until the stirring national events of the spring of 1861 turned the thoughts of all from peaceful pursuits to arms, when Col. Jackson, who had been at the commencement of that year appointed and now held the office of Inspector General of the State, relinquished the profession to which he had been bred, and engaged in

the defence of the government, in the great struggle inaugurated by the attack upon and fall of Fort Sumpter.

Before proceeding to the mention of Col. Jackson's brief but honorable military career, we pause to say a few words of the character and talents which he displayed during the time of his practice at the bar. Possessed of a singularly handsome person, with frank and genial manners, having a bold and energetic character, and a quick penetrating intellect, being an agreeable speaker and a vigorous writer, he fast made friends and admirers, and soon acquired a prominent and influential position at the capital of the state. Well grounded in the principles of the law, and prompt in the despatch of business, he obtained a very considerable professional practice. Always taking a deep interest in politics, state and national, and mingling freely and on intimate terms during almost the whole of this period with the most distinguished political leaders, he soon became appreciated as a man of ability, and a brilliant and effective speaker. His political views being in accordance with those of the Republican party, he early took that side, and in the campaigns of 1856, 1858 and 1860, rendered valuable services with his pen, and on the stump, to that organ-

ization. In 1858, indeed, he made quite an extended tour, and addressed numerous large assemblies in the western part of the state.

When, therefore, in the spring of 1861 he embraced with characteristic ardor the career of arms, he had acquired a high position in his profession and in society, and was making himself felt and his influence appreciable to a degree unusual in one so young.

No reasons then for so complete a change in the plan and pursuits of his life existed, other than a generous patriotism and an honorable ambition to win the praise of honest men by his sacrifices for and services to his country.

Successful in raising a regiment whose superior in *material* was not to be found in the state, he originally intended to take the position of Lieutenant-Colonel, devolving its command upon an army officer of experience. His plans failed in that respect, and after much hesitation and doubt from a consciousness of his inexperience, he was finally prevailed upon to accept the Colonelcy. On the 18th of June, 1861, he received his commission as Colonel of this, the 18th Regiment of New York Volunteers, with the rank from May 13th, 1861. From the breaking out of the war in April to the time he received his commission, he had

been arduously engaged as Inspector-General of the State in aiding the Governor in the organization of its forces, and hence by close application had acquired military knowledge which was of value to him in his new position.

From the day, however, that he took command of of the 18th he was constant and unwearied in his devotion to and care for his men. Not unwilling to learn, nor unwisely self-confident as were some of the new officers of volunteers at that period, by the industrious application of his quick vigorous mind to the acquisition of a knowledge of the details of his duty, he very soon mastered them.

His Regiment left Albany in June, and proceeding directly to Washington, encamped near the city. Here began his first trial of camp life. The officers under his command were with but very few exceptions without experience or practical military knowledge, and the men, like almost all the volunteers at that time, owing to the busy brief period that had elapsed since their enlistment, were a mere uniformed mass without drill or discipline, rather than a regiment of soldiers.

To change all this was the determination of the Colonel. He resolved to make it a regiment in truth, and one which should be inferior to none in the field.

With this object in view, he was devoted, constant and unwearied, sparing neither body nor mind, but straining every faculty from the time he arrived at Washington until the disastrous battle of Manassas, and indeed until his death, in his efforts to perfect himself as an officer, and to bring to a high state of discipline the men under his command. In how short a time he, with the earnest and praiseworthy co-operation of his officers, succeeded in doing this; and how well he did succeed, was soon to be shown.

On the 12th of July, in accordance with the general plan of a forward movement into Virginia, his Regiment was ordered across the Potomac and encamped near Alexandria. About the same time it was brigaded with the 16th, 31st and 32d New York Volunteers, forming together the 2d Brigade under the command of Col. Davies of the 16th Regiment.

On the 16th of July, commenced the memorable advance of the army of the Potomac; Col. Jackson's Regiment moved from Alexandria in the afternoon of that day, and, together with the other regiments forming the 2d Brigade, took part in the battle, or rather prolonged skirmish, of the 18th of July. In this, his conduct was gallant and meritorious, and his men behaved with the steadiness of veterans. In the battle

of Manassas, on the 21st of July, which resulted so disastrously to our arms, the 2d Brigade were upon the left and constituted the reserve, not taking part in the main battle, fought principally by the right and centre.

It does not, of course, come within the scope of this Memoir to attempt any general description of the events of that terrible and humiliating day. It is sufficient to say that the 18th Regiment, the whole 2d Brigade, and indeed the whole Division, of which it formed a part, behaved with marked gallantry and steadiness. The 2d Brigade, covering Captains Green and Hunt's Batteries during the early part of the day, and with them effectually defeating a formidable attempt of the enemy's right to flank the left of our line, when later our troops fled in such panic and confusion from the field, was ordered to Centreville to protect the retreat. As to what followed and the conduct of Col. Jackson at this crisis, an extract from the report of Capt. Green, in command of a battery, gives an interesting account:

"I chose a position," he says, "on the crest of a hill which, from its shape, gave command of the ground to our left and also of the road along which our Division was retiring. From this position I could perfectly

sweep with my fire 180° front, right and left, down a gentle slope. Four regiments were placed as my support, and the force at this point could have stopped double its number.

"At this point an unauthorized person gave orders to retreat; I refused the order, *but all my supporting regiments but one* (*Col. Jackson's* 18*th N. Y. V.*), moved off to the rear. *Col. Jackson most gallantly offered his Regiment as a support, saying 'that it should remain by me as long as there should be any fighting to be done there.*' The above mentioned person again made his appearance at this time and again ordered me to retreat, and ordered Col. Jackson to form column of division on my right and retreat with me as all was lost. The order was of course disregarded and in about two minutes the head of a column of the enemy's cavalry came up at a run, opening out of the woods in beautiful order. I was prepared for it, and the column had not gone more than a hundred yards out of the woods before shells were burst at their head and directly in their midst. They broke in every direction, and no more cavalry came out of the woods."

The 18th, in compliance with orders from the Commanding General, retreated covering Green's Battery;

halted for a short time at Fairfax; Col. Jackson ascertaining that the General, despairing of bringing the defeated army to a halt, had himself gone to Washington, it again resumed the retreat and at midday on the 22d took possession of its old camp at Alexandria. This retreat was effected in perfect good order throughout; and on the way back the Colonel was enabled to afford aid to his fellow-townsman, Lieut. Hill of the U. S. Artillery, in bringing off two of the guns of his battery.

All the officers who were present bear testimony to the gallantry of Col. Jackson, and the admirable behavior of his Regiment, throughout that memorable advance towards and retreat from Manassas.

During the whole time he was almost constantly mounted, and he bore up with astonishing endurance under the most exhausting fatigue. He says himself, in a letter written to a friend on the 23d of July: "from half past two Sunday morning until Monday at midday, we neither slept nor rested. I was in my saddle nearly all the time."

After this battle, the Regiment not sharing in the general demoralization of the troops, remained near Alexandria; shifting its camp occasionally, taking its turn at guard and picket duty, and for a time engaged

in building Fort Ward, one of the numerous fortifications erected to protect Washington.

When Gen. McClellan, taking command, commenced the reorganization of the Army of the Potomac, the 18th Regiment was placed in Gen. Newton's Brigade and Gen. Franklin's Division.

The devotion and enthusiasm of Col. Jackson, in raising to the highest standard the discipline and *morale* of his men, did not flag. Until attacked by his last illness, he was hardly ever absent from the camp, and it was an extremely rare thing for him to sleep out of it; and he took eagerly upon his shoulders the thousand constant cares and labors consequent upon a scrupulously conscientious discharge of his duties. In a word, his whole time and energies were employed. In all this, and indeed during the whole of his connection with the Regiment, it is but justice to record, that his efforts were much aided, and the character of the regiment for discipline and efficiency raised, by the steady support and uniformly gallant conduct of his Lieutenant Colonel (now Colonel), Young, a townsman, and the officer who succeeded him in command.

These wearing anxieties of his responsible position, and the unaccustomed privations and exposures of

life in the field, in an unhealthy climate, were unfortunately laying in the constitution of Jackson the foundations of fatal disease. His health, which had been, through life, up to this period, almost perfect, now showed signs of giving way; and during a hurried visit home in August, his friends were alarmed at the inroads made by fatigue and anxiety upon it. Although, for some time after his return to the regiment, he seemed better, he was towards the end of October seized with an illness, which, assuming the form of bilious remittent fever, proved fatal. Prostrated for some days in his tent, his brother officers were unable to induce him to "give up" and seek relief from his official duties, and it was not until his illness assumed a most serious form, that he consented to apply to be removed to Washington. This was done on the 30th of October, and Dr. Stone, one of the most eminent physicians of the city, was then immediately called to his bedside, but it was too late. For a few days, no critical symptoms appeared, and his condition was not considered as imminently dangerous until the 7th of November. Hemorrhage of the bowels, and afterwards of the brain, then set in, destroying all hope. On Monday, the 11th of November, a little before six o'clock in the evening,

his spirit passed away. His last words were these, uttered just before the power of articulation departed, in a strong, deliberate voice, but evidently with great effort: "I do believe in the Lord Jesus Christ, I trust in Him."

The remains of Col. Jackson were taken home for interment. They were escorted to the cars at Washington by his regiment, every member of which expressed a desire to testify his respect for his beloved Colonel. At Albany, they were received by the military of the city, and lay in state.

He was buried at Schenectady on the 14th of November, 1861.

Borne to his last resting place by the friends of his youth whom he loved so well, amid the scenes of his boyhood he sleeps, requiemed by the sighing pines which wave over his grave.

Beautiful and joyous was his youth; bold and vigorous his manhood; his death honorable, nay glorious; for, although he fell not by the sword nor amid the maddening whirl and din of battle, yet by his self-consuming labors for his country's weal, were sown the seeds of that fell disease which was his destroyer.

He was young when he died, but so matured was

his character, so rich in all manly qualities, that he seemed to have passed his contemporaries, and to have taken, by a single bound, a high place above them.

The civil war, which he lived to see assume gigantic and fearful proportions, still rages undiminished; the eyes of all men are riveted, not to be turned aside but for an instant, upon that great drama. Act follows act so rapidly that yesterday seems a year ago, and the events of the past float in our remembrance vaguely and uncertainly as last summer's clouds. The tumult and peril of the time forbid to linger long over the tomb of the most loved one, and the mighty flood of public grief and calamity seems to drown all private sorrow. Yet the memory of the departed Jackson remains and will ever remain fresh and vivid in the hearts of the many friends and companions of his life. In brighter, happier days in the future, when peace shall again smile upon the land, and time shall have softened the first sharp pangs of their grief, they will speak gently and regretfully but proudly together of the one who is gone, recalling the eagle eye, the noble port, the bright intellect and the generous heart of him summoned so early, but who so well ran his brief race on earth.

Proceedings of the Albany Bar.

At a meeting of the Bar of the City of Albany, held at the City Hall, on the 14th day of November, 1861.

On motion of Mr. John J. Olcott, Mr. Jacob I. Werner was called to the Chair, and Messrs. Isaac Edwards and Ernest J. Miller were appointed Secretaries.

On motion of Hon. A. D. Robinson, the Chair appointed Messrs. Robinson, J. V. L. Pruyn, R. M. Strong, R. W. Peckham, Jr., and J. B. Sturtevant, a Committee to prepare resolutions expressing the sense of the meeting.

Hon. Clark B. Cochrane then addressed the meeting as follows:

Mr. Chairman and Gentlemen of the Bar:

The news of the event which has called together the Bar of Albany, on the present occasion, has fallen with mournful weight upon the hearts of millions of

our countrymen. The removal by death of William A. Jackson from the newly chosen field of his activities, in the midst of his growing usefulness and rising fame, and in view of what he was and what he promised to become, produced, as it was calculated to produce, a profound sensation in the public mind. The deep and universal solicitude, the expressions of private hopes and public anxiety with reference to the chances of his recovery, from the time his dangerous illness became known until the announcement of its fatal termination, the imposing demonstrations of respect tendered to his memory and services, and the multiplied evidences of sincere and general sorrow which have followed that announcement, admonish us that our professional brother, whose loss we mourn and whose recollection we cherish, was no ordinary personage. It rarely happens, even in our own glorious country, where all legal and adventitious hindrances are removed from before the march of merit, where the race is usually to the swift and the battle to the strong, that one comes to occupy, at so early an age, so large a measure in the public eye, or possess so firm a hold of the popular heart. Though yet in the early dawn and dew of manhood, Col. Jackson has inscribed his name upon the imperishable records

of his country, and left his footprints deeply traced on the sands of time. A nation, for whose life and whose honor he drew his sword, witnessed, with emotions of sorrow, his passage from the theatre of life; and the great, the gifted, and the brave followed his bier and mingled as mourners in his funeral train. Thus, let a grateful people ever hallow the memory of the brave defenders of the land and flag of our fathers. Our departed friend has left a blameless life, a bright and brave example for the imitation of all, especially for our youth. At a period when success, with young men of brightest promise, is yet the subject of conjecture, he had accomplished ends and achieved a position which exempt life from the possibilities of failure, and enabled him to say, as he turned his youthful eyes for the last time to the light of Heaven, I have not "lived in vain nor spent my strength for naught."

A gentleman by instinct and education, possessed of a fine person and fascinating manners, a large heart and a true and genial nature, endowed with a rare intellect, enriched by varied and manly cultivation, he became the idol of every circle in which he mingled, a cherished companion among his associates, the trusted depositary of the most sacred treasures of a well chosen friendship, the pride of his family and

kindred, and a favorite with the public. As a public speaker Col. Jackson was eloquent and forcible, and to rare conversational powers he added the pen of a ready and elegant writer. As a member of this bar, at which he had secured no indifferent reputation, we remember him as a brother without reproach. His warm hand, his beaming and manly face, will greet us no more. We shall miss him at the bar, in the halls of justice, from our social gatherings, in the public and private walks of life, but in the innermost shrines of our hearts, and so long as life lasts, we will cherish his memory, fragrant with every manly virtue, and free from every suspicion of dishonor. We will think of him for his noble qualities of head and heart, for the example he has left behind him, for the expectations he had realized, and the hopes he had inspired.

In all the relations of private life, and in all the varied and responsible positions with which he was trusted, he preserved to the last "the whiteness of his soul, and men weep for him."

It is, after all, as a patriot and soldier, and not as a lawyer, we meet to do him honor. True, the ranks of our profession have been invaded and another link has been stricken from the bright fraternal chain which binds us together; a choice spirit has dropt

from our circle and passed forever away, and we confess our loss; but it is our country and not our class that is smitten by this bereavement. Brave of heart and strong of hand, loving his country and revering her insulted flag, he was among the first to respond to the call of the nation, in the hour of her sudden and greatest peril. Though uneducated to the profession of arms, he brought to the duties of his high command unwearied industry and all the acknowledged vigor of his mind, and at the time of his death had already become an accomplished and efficient officer, enjoyed the confidence of the Government and of his superiors in command, was rapidly rising in the opinions of the army, and had secured to the fullest extent the respect and love of his gallant Regiment, which, under his discipline, had become by common consent one of the best and most efficient in the service.

Tried upon the field of battle and found wanting in none of the stern requisites of a soldier, he had before him the promise of a brilliant and glorious future. In the inscrutable providence of God, the hand of death has overtaken him and he is removed from the tumult of arms and the scenes of earth. But he has fallen in the career of duty and the path of fame, with his bow

bent, his feet to the field and his armor on. To the patriot the memory of such is sweet.

S. O. Shepard, Esq., then spoke as follows:

Mr. Chairman:

The character of William A. Jackson requires not eulogy, to commemorate its beauty. Yet a suggestion has just been made to me, the propriety of which cannot be questioned, that some member of this Bar, should in behalf of the Bar briefly endorse the truthful and touching tribute which has just been rendered to his memory.

That duty should more properly be performed, by some one whose acquaintance with the deceased had been of longer standing, and whose intercourse with him had been more intimate than have mine. Until within two years immediately preceding his death, I had known but little of William A. Jackson. Since that time by a casual incident I had been brought into more intimate association with him, sufficiently so to see, in that brief period, very much to love and very much to admire. For his was a character of that cast which required not long years of intercourse for its proper appréciation.

Cultivated in his tastes, broadly catholic in his

opinions and unselfish in his disposition, manly in bearing and frank in address, in his intercourse with men he at once demanded from them the confidence which by them was at once as readily conceded. With such qualifications he adopted the profession of law; a profession which bestows with but niggard hand her commendation, unless that commendation be deserved; and yet I hesitate not in saying, that I express but the opinion of every gentleman of this Bar when I say, that William A. Jackson had already attained in that profession a position which is more frequently denied, than conceded, to those whose years by scores outnumbered his own. Mingling much with men as he did, and possessing an address which so readily commended him to the favorable recognition of the people, he soon became intensely interested in the great political questions of the day. Identifying himself heartily with those principles which distinguished the party in whose ranks he was enrolled, he enlisted, in the advocacy and support of those principles, a cultivated mind and a ready and graceful oratory.

And, when, owing to those events so familiar to all, which have cast a shadow so deep and so dark over the political destinies of our country, principles could no longer be advocated in the field of intellect;

when the pen was compelled to give place to physical prowess, and logic to the stern arbitrament of the sword; when our stricken country, turned her troubled eye towards her loyal sons, almost despairingly to ask, who among them would advocate her cause, the cause of liberty, in this new field, on whose bloody sod, death lurked, in his most horrid forms; then was heard the ready response of William A. Jackson, true to himself, true to his unselfish nature, and true to his country, alike in her woe as in her weal, "Here am I, send me!" Turning resolutely from the inducements of a noble and remunerative profession, as well as from the attractions of cultivated society and the amenities of home, he stepped unfalteringly forth from the vocations of peace to offer himself a volunteer in the cause of his country. The offer was the result of no transient enthusiasm fanned into life by the breeze of these mighty events, which, as they swept by in their ordained procession, were shaking to its foundations the fabric of our national existence. Nor was it the creature of that harmless vanity which exults in the display of military insignia in holiday parade. No! no! For, hark! the measured tread of armed men falls upon the ear; and they are clad, too, not in the trappings of holiday parade, but in the

stern habiliments of active service. It is the tramp of a regiment! the 18th Regiment, as it moves through the streets of our city on its way to do battle in the cause of our country. And at its head, with steady step, marches its young and chivalrous Colonel,—William A. Jackson.

But William A. Jackson is *dead! dead*, ere the first ruddy flush of early manhood had faded from his cheek,—dead, before the last echoes of the heavy tramp of his marching regiment had fairly died from our hearing. That sad, sad pageant of yesterday, with its funeral melodies, its riderless horses, and its sorrow-bowed mourners, tells us that the tumult of the coming conflict and the clash of arms will only fall upon a dull, cold ear; that his eye will never again light up with the enthusiasm of battle, or kindle with joy over the brightening prospects of the country which he loved.

But, with such a record, it seems almost but idle ceremony to stand here and utter words of eulogy.

William A. Jackson has bequeathed to those who survive him a name not, perhaps, imperishable, but one which will be identified with the future history of his country.

Although he died not, perhaps, as a soldier would

most wish to die, upon the battle-field, with his face to the foe, fanned by the folds of his country's flag, as it waves in the rush of the conflict, yet he died in his country's cause, in his country's service, and with "his martial cloak around him." He has laid upon the altar of his country all that she could ask of her child,—himself. History will do him justice; his country will not forget him.

Blessings be upon his memory, and "may the earth rest light upon him!"

His Honor, Recorder Austin, further addressed the meeting, as follows:

Without solicitation from any one, but simply because I feel that it becomes me to contribute my mite to the honor which we have met to pay to the memory of one of the most esteemed of the younger members of our bar, I beg to be indulged in the expression of my own sympathy with all that has been said and done here.

It was my fortune to know him not only in the exercise of his profession, but also with a considerable degree of personal intimacy. I can add nothing but my approval to what has been said of his uncommon aptitude for professional pursuits, his quick and pene-

trating intelligence, his ready word, his scholarly acquirements, and his genial and generous nature.

In this last respect, he added the quality, which often renders men beloved as well as respected, of being quite as confiding in the honor of others, as he was himself faithful to any confidence reposed in him.

We have come here, however, to honor him not merely, nor indeed mainly, for his professional and social character, but for the devotion of his life to the service of his country at a dark crisis in her history, and I cannot omit an allusion to the spirit and motive with which he entered on his last career. In my own judgment, it was not through any vulgar ambition for mere military distinction, but from a conviction of duty much more honorable to him.

In a brief but free conversation with him at the first outbreak of the war, he gave such expression to his sentiments on this matter, as satisfied me that he did it from a sense of personal obligation, which bound him by every consideration of respect for his own character and his own position in the world, to make every sacrifice for the restoration of his country, and called upon him, like an outspoken public opinion, that *he* should go!

It always seemed to me, therefore, that he enlisted in this war in the spirit of sacrifice, which makes men not only heroes and patriots, but martyrs.

In obeying this sentiment of duty, and giving away his life in a cause so noble, he has given proof of a loyalty and public spirit which sheds, not only upon his own name and on our own bar, but on our entire profession, a ray of enduring honor.

Hon. John V. L. Pruyn then said:

It is not my intention, Mr. Chairman, to add to what has so appropriately been said of the life and character of Mr. Jackson, but simply to speak of my regard for his memory, and to express the respect and deep sympathy I entertain for the father and the mother who have lost a much loved son, and for the family circle from which a dearly prized member has been suddenly removed.

I knew the deceased somewhat, almost from his boyhood, and for some years past had met him frequently in social life, and occasionally in professional matters. His manly bearing, his frankness, his kindness of heart, and his good mental capacities, impressed me most favorably, and I looked upon his future as one both of hope and promise. He went forth as a true

member of our profession to the defence of the constitution and laws of his country, most unjustifiably assailed by some of its own sons, and laid down his life in the effort to re-establish and vindicate the authority of the government under which he was born, and to which he acknowledged his faith and allegiance. He died early, but he died well. It becomes me not to speak of his closing hours, more than to say that he met his last foe, he to whom we all must bow, with calmness and hopeful trust in the future, and that we have good reason to believe that he left the struggles of this life for the rest and peace of a better.

I am glad to find so many of the members of the Bar met to honor the memory of their departed brother, and I hope that our proceedings may be placed in a more extended and permanent form, than the brief notice to which the journals of the day must necessarily be confined.

J. M. Kimball, Esq., then spoke as follows:

Mr. Chairman and Gentlemen:

In all that has been said of our deceased brother, I fully concur. The eloquent tributes paid to his memory are well deserved. He was possessed of great talents, adorned by a finished education. Scarce thirty

years of age, he had attained an honorable place at the Bar, prominence throughout our state as an orator, and had reached high official position in the state government. His heart was as good, as his head was clear. Very few enemies, and friends without number, were his. I rise to relate an incident which I heard told of him by Capt. Green of the United States Army, the day after the battle of Bull Run: Capt. Green's battery was stationed near the left wing of the army, where he was ordered to open on the enemy's right. He had some difficulty in finding a regiment willing to cover his battery, when Col. Jackson stepped forward, and voluntarily said, "I will cover your battery with *my* regiment, sir." He kept his word, and Capt. Green pronounced him a good officer and brave man. The promptness and courage shown by him on that occasion, proves how worthily he filled his high military command. The words "I will cover your battery with my regiment, sir," and the valor of himself and men on that day, will ever be a just source of pride to his friends and countrymen, and carry his name far down to the future.

Hon. A. D. Robinson, Chairman of the Committee, then presented the following

RESOLUTIONS.

In the flower of his age, in the midst of a life giving the most brilliant promise, has departed from this world, William A. Jackson, a member of the Albany Bar. Assembled as we are in view of this sad event:

Resolved, That we have heard of the death of our late associate, William A. Jackson, with feelings of heartfelt sorrow. Short, comparatively, as has been his career among us, we had not failed to recognize and appreciate his intellectual abilities, his noble qualities of mind, and his high attainments. His genial disposition, added to these, endeared him to us, and pleasant thoughts of our intercourse with him in times gone by linger round his memory.

Resolved, That we honor the memory of him who, leaving the well earned rewards of his profession, volunteered at his country's call to do her bidding. While acting nobly his part as a patriot and a soldier, he was summoned hence, and there was added to the roll of the honored dead the name of our departed brother.

Resolved, That in his death our country has lost an officer who had proved himself worthy the trust reposed in him; our profession a cherished ornament; and a large circle of friends and acquaintances one endeared by the strongest ties of love and friendship.

Resolved, That sympathizing as we do with the family of the deceased, we would point them to his honorable career, and pray that God would sustain and comfort them in this the hour of their affliction and trial.

The resolutions having been unanimously adopted, Hon. John K. Porter suggested that the officers of the meeting, and Messrs. Pruyn, Cochrane, Olcott, Shepard, Strong and J. Howard King, be appointed a Committee, on behalf of the Bar, to prepare some fitting Memorial, more effectually to perpetuate the proceedings of this meeting.

On motion of Orlando Meads, Esq., the meeting adjourned.

Proceedings at the Executive Chamber.

By direction of his Excellency, Gov. Morgan, the members of his staff, present in Albany, met in the Executive Chamber, on the evening of Nov. 12th, to take such action as might be deemed appropriate in regard to the death of Col. William A. Jackson, commanding the 18th Regiment of New York State Volunteers, and formerly Inspector-General of this State, who expired at Washington on the evening of the 11th instant.

The following members of his staff were present: Adjutant-General Hillhouse, Inspector-General Patrick, Commissary-General Welch, Surgeon-General Vanderpoel, Quartermaster-General Van Vechten, Aide-de-Camp Arden, and Military Secretary Linsley

On assuming the Chair, his Excellency expressed, with great feeling, his deep sense of the sad occasion which had induced him to convene the members of his military family, and suggested that such action should be had as the melancholy event called for.

He added that the death of Col. Jackson came upon us with peculiar force. That he had been an esteemed member of his staff, and was a much-loved citizen of Albany at the time he assumed the command of the Regiment, and that it was eminently proper that this especial notice should be taken of his death, by himself and the members of his staff who were now present.

Whereupon Com.-Gen. Welch, with the permission of his Excellency, submitted the following resolutions :

Resolved, That we have heard, with emotions of profound sorrow, of the death of a former associate, Col. William A. Jackson, commanding the 18th Regiment of New York Volunteers, who was among the first to sacrifice honorable public position, professional honors and emoluments, and cherished personal associations, in defence of the flag of the country and the integrity of the Union.

Resolved, That in the death of this young soldier, who was endeared to us by those sterling characteristics of manhood which he possessed in so eminent a degree, we are overwhelmed with grief, not only because an estimable friend and associate has been taken from us, but because the country, now passing the

severest ordeal of its existence, has lost one of its able and zealous champions.

Resolved, That the loss of Col. Jackson, so deeply felt here, in the city of his former residence, and so much to be deplored everywhere, calls for some public manifestation of the wide spread sorrow which his early death has evoked.

Resolved, That his Excellency the Governor, be respectfully requested to forward to the immediate relatives of the deceased, a copy of these resolutions, with an expression of our deep and unaffected sympathy with them in this, their great bereavement.

Which were unanimously adopted.

General Order.

HEADQUARTERS 5TH BRIGADE,
November 15, 1861.

[GENERAL ORDER No. 13.]

The General commanding the Brigade, on his return, has heard with lively sorrow of the decease of Col. William A. Jackson, commanding the 18th Regiment, New York Volunteers.

Deprived, by circumstances over which he had no control, of the melancholy privilege of witnessing his last moments or of being present at the funeral obsequies, the General commanding wishes at least to testify his profound sense of the loss to the service experienced by the decease of this accomplished soldier and gentleman.

The high state of discipline and efficiency attained by the 18th Regiment is a testimony to the zeal and intelligence of the deceased more honorable and complete than the most elaborate eulogium.

By order Brig. Gen. NEWTON.

JAS. E. MONTGOMERY, Asst. Adj. Gen.

Resolutions of the 18th Regiment.

At a meeting of the 18th Regiment, N. Y. S. V., at Camp King, Nov. 18th, 1861, the following preamble and resolutions were unanimously adopted:

Whereas, it has pleased God, in his all-wise providence, to take from our midst our beloved Colonel, William A. Jackson; therefore, be it

Resolved, That while we bow in submission to the fiat that has taken from us our gallant and generous commander, we deeply mourn his death, and feel that we have lost not only an accomplished and brave officer, but a true friend and brother.

Resolved, That in the death of Col. Jackson, the nation has lost a patriot, the army of the Potomac one of her ablest and most efficient officers; one who, in the hour of battle, sacrificed all considerations of personal safety to the interests of his country.

Resolved, That while cognizant of our own sadness, we are not forgetful of the grief of those upon whom the affliction falls most heavily. To the be-

reaved parents and family of the deceased, we tender our heartfelt sympathy and condolence.

Resolved, That the Regiment wear the usual badge of mourning for thirty days.

Resolved, That copies of these resolutions be transmitted to the parents of the deceased, to Co. A, Albany Zouave Cadets, 10th Regiment N. Y. S. M., and to the Albany and Schenectady papers.

WM. H. YOUNG, Lt. Col.,
Commanding 18th N. Y. S. V.

Lieut. WM. HORSFALL, Acting Adjutant.

Resolutions of the Albany Zouave Cadets.

At a meeting of the Albany Zouave Cadets, held at their armory, Monday evening, November 11th, Capt. Cuyler Van Vechten announced to the company the solemn news of the death of Col. Jackson. On motion, a committee of four were appointed, who reported the following resolutions, which were unanimously adopted:

Resolved, That we profoundly deplore the loss sustained by our country in the death of that gallant and accomplished officer, William A. Jackson, late Colonel 18th Regiment New York State Volunteers.

Resolved, That in this calamity we, as a company, mourn the departure of one who, connected with our organization from its origin, was equally loved by us for his many noble qualities of heart, and admired for his high intellectual culture and abilities.

Resolved, That we tender our sympathies to the officers and privates of the 18th Regiment, in appreciation of the great loss they have been called upon to meet in the death of their leader; and that we

sincerely condole with the relatives of the deceased in their present deep affliction.

Resolved, That we attend the funeral obsequies and escort the remains to the tomb with military honors; and that we wear the usual badge of mourning for thirty days.

Resolved, That a copy of these resolutions be transmitted to the family of the deceased; and also to the 18th Regiment, and that these resolutions be inserted in the daily papers of this city.

(Signed.) A. C. JUDSON, Chairman.

D. S. BENTON, Secretary.

THE FOLLOWING ADDRESS,

Delivered at Albany, February 22, 1858, by the late

COL. WILLIAM A. JACKSON,

Of the Eighteenth Regiment of New-York Volunteers,

Is presented as a memento of him to the Officers and Privates of the Regiment, by their friend Professor Jackson.

Fellow-Citizens :

I PROPOSE to speak to you of the Patriot Soldier.

I can conceive of no subject more appropriate to the day, which the Union with a single voice dedicates to the memory of one, whose life and virtues pronounce him to be the Father of the Republic.

The soldier acts an important part in the destiny of nations. From time immemorial, the supremacy of great principles, the progress of reforms, the elevation of popular ideas, have found their sustaining power in the sword.

The patriot soldier, thus reminded by history of the part he may be called to assume, should remember that he is the conservator of what is right in the present, the guardian of truth yet to be developed; and that he should so act, think, and labor, as to render himself the man of the times, prompt in thought, ready in action, fearless in the discharge of duty.

The first principle of the soldier's education is the resolution of all individual feelings and passions into the single idea of the full and proper discharge of the duties of his position. He must learn that he is but a unit in the composition of a force. He must never forget that efficacy and completeness of action are only ensured by singleness of purpose.

To accomplish this result, the soldier must forget himself, must banish all trivial thoughts from his mind, and make duty the pole star of his life. He, then, must be unselfish : his pleasures, his feelings, his passions, however stimulated, must yield a graceful submission to the imperative principle of duty.

To abnegate self is difficult, but it is equally heroic; and he who obtains the victory has won but the first of a long series of battles, whose procession accumulates glory for his name, and, still better, awards the noble satisfaction of a well spent life.

Actuated by this idea, obstacles disappear, dangers vanish, and ambition and enthusiasm are thoroughly aroused. The true heroes of the world give you their examples. They fought and conquered in life, because they resolved all

thought of self into the one idea of duty. In death, they still live, because the meed of glory belongs to him alone whose duty was the paramount object of his life. You may find them upon every field, in every rank, of every tongue. Roman or Grecian, Gaul, Briton, or American, they close around us, a phalanx, whose front is always towards the enemy, and never broken. The soldier who emulates such examples, comes to regard his duty as a pleasure, not a task: he performs it because it is right, not because honor or emolument will be the result. In its discharge he anticipates no reward; but, for its proper fulfilment, reward will seek him out.

The patriot soldier, devoted to the performance of his duty for its sake alone, will be enthusiastic in his devotion to his cause, and true to the preferment of its interests. He will be the man of principle. He will never forget those innate sentiments of honor implanted in every heart. His enthusiasm will be based upon truth. Duty and interest will be one, and no detail of his service, no requirement of his country will be neglected. Then indeed is the heart in the cause: then is there a motive to exertion, which will render it invincible.

Men may be drilled to move and fight with the exactitude of machines; but without this enthusiasm springing from these causes, they are mere automata. With this motive in the heart of every soldier, the mass is a unit: then superiority of force cannot defeat, though it may exterminate. Thermopylæ, Chæronia, Waterloo, present you their examples of devoted squares never broken, never yielding, till the protracted agony of battle closed upon a field, where death could claim no more. The enthusiasm of the patriot soldier, fully persuaded of the rectitude of his cause, feeling that he has left unperformed no requirement of his calling, finds no obstacle in the presence of an enemy: skilful disposition of forces does not overawe him, fearful odds dismay him not; they are but inducements to more strenuous exertions, and each man fights as if upon his efforts depended the safety of the army and the ultimate possession of the field. Such soldiers were the Hollanders of William the Silent, fighting for religious freedom amid the tumbling walls and ruined homes of their besieged cities: such the Ironsides of Cromwell, sternly fighting for a Christian Commonwealth: such the Patriots of '76, fighting for

the liberty we now enjoy; such the men of the Empire, fighting for the glory of France and the progress of thought. These men had a definite purpose, and preserved a unity of sentiment which was the element of their success. They possessed those soldiery instincts and qualities which proceed from love of duty and enthusiasm in its discharge. Each soldier filled properly his sphere; and all moving from a common center in the harmonious pursuance of a single purpose, they astounded the world by exploits which will remain unrivalled, until, the times "once more out of joint," popular necessities shall evoke the dormant talents of men, born to organize, to conquer, to reform. But if the times do not require the immediate rivalry of those great deeds, the memory of which thrills every soul with admiration, they do require, and love of country, of hearthstone, requires, that we should never cease the "note of preparation;" that we should never forget, as citizen soldiers, to emulate those men, who have bequeathed to all coming ages examples of chivalry, of fortitude, of patient suffering and heroic valor. In such emulation, there is no hero worship. We do not offer the mere man as an

example, but his great qualities, his good actions, his love for humanity, his hatred of the wrong.

Time is ever exhibiting men becoming heroic in the simple discharge of duty : the nameless graves of every battle-field attest it. Even now English voices send from the sultry plains of India the names of Neil and Nicholson, and swell the panegyric and the dirge in mournful unison over the tomb of Havelock.

There is heroism in every profession of life, and the soldier may find much to emulate in the quiet unassuming courage which consecrates more peaceful avocations than his own. He sees it in the frontiersman, lighting the torch of civilization in the far West ; in the reformer, enduring ridicule and persecution ; in the mariner, braving the storm of the Tropics, or bursting the icy barriers of the Poles. And where, citizens of Albany, can you find a nobler fortitude, a higher chivalry, a greater heroism, than in the calm courage of one, who lately walked our streets, a citizen of ours, who, in the awful hour of impending death, when the prison-house of the elements was opened, and they battled in their fury over the Central

America, stood at the post of duty, firm, undaunted, and went down bravely with his sinking ship, true to the instincts of his noble nature — CHARLES VAN RENSSELAER.

The world is filled with the history of heroes; and be they explorers or reformers, mariners or soldiers, men of peace or men of battle, their deeds are the heritage of the world, and it were ungrateful not to enjoy the gift by profiting by the example.

If the soldier is unselfish and enthusiastic in the discharge of his duty, he will avoid the bane of every avocation, jealousy. Rivalry of the proper kind is open, frank and generous: it does not seek renown in the discomfiture of others, but in its own superiority. A generous rivalry never wounds, but lends a helping hand to him who has failed in the struggle. In the great efforts of life, it does not attempt to retard competition, but, to render its own victory complete, invites and encourages it. On the battle-field, the brave and generous soldier, fully alive to his own responsibilities, quickens the energy of one, stimulates the faltering sense of duty in another, and permeates all who surround him with the vitality of his own purpose. When

the trumpets sound the charge, he not only nerves himself to the full execution of his duty, but infuses among his comrades that hopefulness of spirit, which enables every one, amid the carnage of the battle, to sustain the honor of his cause and the dignity of his manhood.

Mere physical courage, without moral force, cannot prove the successful champion of any cause. The great soldiers of the world who have accomplished important results for humanity, were men who established a standard of soldierly excellence, and not only satisfied themselves with its attainment, but impressed its necessity upon all who came within the sphere of their influence. The great underlying principle of this standard is that which invests it with a moral force, unhesitating discharge of duty. What honor is to every man, what virtue is to woman, is the strict performance of duty to the soldier. His duty is a jewel, whose rays brighten and make beautiful his life : it is a talisman of mighty power. The remembrance of its discharge soothes the dying soldier on the stricken field, whispers in his ear the meed of well-earned praise, tells him that the recompense of his valor shall be the tears of his countrymen.

What nobler epitaph can be graven upon the tomb of any man? What better eulogy pronounced upon his life, than the simple words "He did his duty!"

The qualities of which I have spoken are the necessary characteristics of every soldier who comprehends the true purpose of his calling. In the patriot soldier, whose mission it is to struggle for the supremacy of great principles, who is the gallant champion of an invaded country or the fearless crusader of liberty, these qualities should find their most perfect development. He who maintains a great cause successfully, is thoroughly imbued with the enthusiasm its principles beget. He who consecrates his sword to a holy purpose must be pure at heart, if he would identify himself with the principle for which he struggles.

The mercenary can fight manfully and die heroically for his hire. He finds pleasure in the excitement and carnage of the battle : he looks not beyond the mere fact of success. In a great victory, he recognizes only the hand of his general, only the supremacy of brute force, and its highest results are to him the opportunities of destruction and pillage.

If such motives can impel the display of courage, what must be the enthusiasm, the valor, the determination of one who fights for an idea which his heart has cherished, for that which reason and reflection have approved, for that which his better nature craves with all its strength?

The battle then is not the mere tournament of rival generals, not the mere concussion of opposing forces, not the mere display of courage or the gravity of brute strength; but the grave contest of discordant ideas, the threshold of new systems, the effort to elevate or ameliorate the condition of a people, to avenge the wrongs of centuries, or restrain the license of a disordered sentiment. For such purposes are the exertions of the patriot soldier needed: to effect them, calls for the display of those qualities which constitute soldierly excellence. To be prepared when the time demands his services, requires of the patriot soldier a thorough study and appreciation of those duties which are in themselves virtues, that tarnish or brighten as they are neglected or cultivated, and upon whose performance depends the stability of all governments, the safety of all homes, the happiness of all people.

What a stimulus to the discharge of his duty has the American Soldier! The defence of a land where Freedom sits enthroned in the heart of the nation; where a beacon fire has been kindled, whose rays, shining steadily forth over the troubled earth, tell of an asylum for the oppressed, where the blessings of peace and liberty are inseparable, where contentment presides at the lowliest hearthstone, where prosperity is universal, because industry is untrammelled; where production is assisted by government, not fettered by oppressive enactments; where all are happy because all are free, and all are free because all appreciate their rights.

Before the American Soldier is placed the example of those patriots whose labors created the system which it his duty to preserve.

That army of freemen has nearly passed away. Here and there a solitary form, riven and blasted with the storms of a century, lingers in our midst, stately and venerable as an oak of the forest.

Such an one is in our assembly to-day: John O'Brien Shenandoah, in whose memory, at the age of one hundred and six years, remain the

events of the revolution as fresh and vivid as though they were of yesterday.

To the names of those patriots, our history has given immortality : our present greatness is their eulogy. Their mission was to scourge from the land the rapacious instruments of tyranny, to lift from the popular vision the blinding veil of despotism, to open a new era in the progress of humanity, by asserting the inalienable rights of man. Their mission was accomplished : this Great Union is at once the proof and the monument of their services.

As if Providence had deemed the crisis which evolved our liberty the most important the world yet had seen, and requiring in its development the assistance of the grandest combination of human virtues the mind can conceive, a man was provided for the emergency, who, in every sphere of life, whether as soldier or civilian, whether on the battle-field or in the cabinet, presented qualities so perfect in their adaptation to the times, so loyal to the great principles of truth and honor, that with one accord the voice of the nations has assigned him a place above all others, and speaks his name only with the accents of reverence and love.

The birth of that man we celebrate to-day. Twenty millions of people have his name upon their lips, and his memory in their hearts. There needs no monument, striking the stars, to tell us he has lived; for the heart of every man in this broad land throbbed with a prouder pulsation, as this morning's sun arose to remind him that he was the countryman of WASHINGTON. The noblest tribute the American people can pay to the memory of WASHINGTON is to enshrine it in their hearts, by making his character the national type. To the soldier he presents the truest model of his profession. The qualities which render him such, the world knows and has approved; but we, as a people, should not stop at approval: we should justify the decision by an adoption of those principles which were the basis of his efforts, and which he sought to incorporate in the structure of our government.

The purest Republic that popular struggles have inaugurated was upheld in its infancy by the protecting arm of the purest man Heaven has given to Earth. He was a soldier, so just, so wise, so patriotic, so far removed from the influence of passion, so discriminating in his judgment, so wise in his counsels, so energetic

in action, so thoroughly the man of principle, so unselfish and generous in thought and word and deed, so actuated by the highest christian philosophy, so calm in danger, so utterly without fear and without guile, one to whom it seemed Nature had no more to give, that our humanity can hardly claim brotherhood with him in anything but death.

It is this man, Citizens, whose virtues have made him the admiration of the world, that you have the proud privilege of calling countryman. It is this man, whose name stands first in the galaxy of great commanders, that you are called upon by the force of your nationality to select as your example. WASHINGTON is not too great to be imitated. He was sent by Providence, not only to conduct successfully our revolution, but to bequeath a character for the benefit of his country.

My Countrymen : The position our nation has assumed, standing in fact the solitary Republic of the World, proudly independent and defiant, jealously watched by eyes eager and willing to discover tokens of weakness and decay, calls upon each citizen of our land to practise those virtues, without which the plan

of self-government must be a failure. Your future happiness as a people, your individual sovereignty as citizens, your homes, your hearthstones, the coming manhood of your children; all, all implore with one voice the preservation of that spotless national honor which WASHINGTON bequeathed to the keeping of your Fathers.

Will their children betray their trust? Will you, the voluntary defenders of that honor, permit your swords to tarnish with the rust of negligence?

There can be but one response. The temple of our liberties will remain the impregnable fortress of freedom; the memories of our patriot soldiers will strengthen you for future struggles, and the name of WASHINGTON will be revered in the adoption of his virtues.

PRESENTED TO THE FRIENDS

OF

COLONEL JACKSON,

AS A SOUVENIR OF HIM.

AN ORATION,

DELIVERED AT WINDHAM CENTRE, GREENE COUNTY, N.Y.,
JULY 4, 1859,

BY THE LATE

COL. WILLIAM A. JACKSON,
OF THE EIGHTEENTH REGIMENT OF NEW-YORK VOLUNTEERS.

ALBANY:
C. VAN BENTHUYSEN, PRINTER.
1863.

ORATION.

It has been said, Fellow-citizens, that as a nation, we have no history. But when I read of the enterprize, the courage, the determination which peculiarly characterize the colonization of our land; and when to-day, in looking about me, I perceive the wonderful results that have been accomplished since the Saxon arm began the conflict with primeval nature on our own shores, I am persuaded that no other chapter in the history of the world presents so splendid a phase of human development.

Our history does not offer the reader the eventful succession of a long and brilliant monarchy: it has no feudal and chivalric period, no grand armada, no Waterloo; but it records the patient endurance, the heroic suffering, the God-given energy and will which have upreared a mighty empire. It records the story of a revolution, which marked a new era in the progress of the race; it writes, on the page of heroes, the names of thousands whose brave hearts beat for humanity.

The contemplation of these facts in our history should give us great pride. From these we can learn what it is to be American citizens in the full and proper sense. They offer us example and advice. Let us ask ourselves what is American citizenship; what the position, the duties, the rewards. To be a citizen of this free land implies sovereignty; not domination over a crushed people, not the unbridled license of one against the fettered liberties of all others, but the sovereignty over self, the freedom of untrammelled utterance, the privilege of a voice in the creation of the laws which govern.

The political condition of the American citizen is anomalous, in the present condition of the world. The causes that make it thus are written in our revolution, in our constitution, in our political system. And because it is anomalous, because the American citizen is the sole representative of the principle of self-government, because to his care history has bequeathed the priceless ideas asserted and established by patriots at Athens and at Rome, because from buried ages comes the warning voice of the Forum and the Capitol, because humanity sends from the old world its wail of lamentation, should each citizen feel himself the exponent

of the system under which he lives, and so act by voice and vote as to strengthen its power for good. The position of the American citizen, then, is one of great responsibility. A Providence in history has made him a prominent figure in the world's drama. He is looked upon and envied, because he is free. He possesses every right which man can ask. It is not then merely his pleasure to enjoy his freedom and his rights, but his duty to prove them worthy of enjoyment by strengthening and defending them, by preserving their purity, and thus giving them a voice of moral strength which shall speak like the voice of prophecy to the nations of the earth.

Oh the responsibility of freedom! Do the men of America feel it? Do they properly remember, on this our Nation's great festival, the occasion and the means that gave it birth? Do they remember that they possess their liberty in trust? Do they remember that they should render it with increase to their children? Do they bear in mind that the magnitude of a blessing is a measure of responsibility? Let every man write over his hearthstone, "Where much is given, much will be required."

The sovereignty and responsibility of American citizenship involve the performance of many duties. In what spirit do we perform them? Is it with the purity of sentiment and the dignity of action which their importance requires? I leave the answer to the conscience of each citizen.

When the voice from Faneuil Hall evoked from the bosom of the times the effort for liberty, and, like the gushing waters which followed the rod of Israel's leader, it poured itself upon the land; when the fathers, after solemn prayer, made that declaration which is as immortal as the principle which it asserts; when the men of the Revolution had driven from the desecrated homes and ravaged shores of the colonies the mercenary instruments of British tyranny, and when the olive branch once more blossomed, and the Federal Union, supplanting the alliance of the colonies, had given our flag a national character, the duties of the American citizen received their inauguration, the orbit of their performance was designated. The work had begun. The weary warriors of the Revolution, the statesmen who had directed and sustained their efforts, were approaching the hour appointed for all. To their children they be-

queathed their swords and their principles : to their children they bequeathed the liberty they had gained, secured by an entail which reckless folly alone can break. In their wisdom and in their great love for that liberty, they placed the responsibility for its preservation upon each citizen. Upon each citizen that responsibility remains : its binding force grows stronger with time. Each year develops the resources of our continent ; each day adds to the number of our people, and each moment records our national sins for their final punishment. Every man knows that the wisdom of our ancestors placed in our hands the means of redressing political wrongs. It is a privilege to be exercised with care, but fearlessly. It is a weapon against wrong, only while its purity is preserved. It is a trenchant blade whose polish and edge are so brilliant and keen, that while in honest hands it will hew down the mightiest iniquity, it will tarnish and grow dull if it be wielded in the service of corruption.

This privilege is the Elective Franchise, the proper exercise of which is the first political duty of the citizen. That it has been shamefully abused, has been made time and again to sub-

serve dishonest purposes, has been employed to subvert the constitutional sovereignty of the people, has been in some localities so degraded that men of pure and honest sentiment have pronounced it a failure, is, alas, too true. But the fact that this abuse exists, furnishes the strongest motive for those who love their country to rally to its rescue. There are honest men who do not vote, because the ballot-box has been corrupted. Are they guiltless? Do they not, by refusing to exercise a right, commit a great wrong, as well as those who pervert it to dishonest purposes?

My Countrymen, the destinies of this nation are in the ballot-box. He who does not vote, and he who votes corruptly, are alike guilty. Let those who lament the misuse of the elective franchise, yet do not attempt to preserve its standard, remember that it furnishes its own correction. The people are honest, and it has ever been found that the corrupt are a minority. Never has there been a period in our history, when it was more essential for the people to vindicate their honesty, than at the present. A disposition has been manifested to sully the purity of our dearest rights. The unclean hand

of corruption has reared an altar for its worshippers in the temple of our liberties; the venders of political wares have made its holiest sanctuary their market-place. Let the people drive out the money-changers; drive them out by the force of honest votes; drive them out, by performing the duties of citizens. Thus shall the glorious covenant with freedom, ratified by our fathers, not be broken. Shrink not from the duty of the elective franchise, if you would preserve, in their primal strength and beauty, the cardinal principles of our system. But if citizens allow business or pleasure to absorb the single hour their country asks them to give to her service; if they bewail corruption, without arresting its progress, they need utter no complaint if it blasts the purity and truth of the people, and renders our national character a byword and a reproach; a lie against freedom, a libel upon humanity.

The neglect of this primal duty has led, in various portions of our land, to confusion and anarchy. Because honest citizens have neglected to perform their duties, political corruption has accomplished the vilest purposes; and so powerful in their misuse of the ballot-box had the miscreants who corrupted its purity become,

that revolution was the only means by which they could be ousted from their usurpation. But it is a dangerous experiment. Our system contains its own correction, if the citizen will apply it in time. Vigilance committees were never contemplated by the Constitution; but every citizen is exhorted, by the spirit of that instrument, to exercise that true vigilance which will destroy an evil before it can mature, and guard our liberty against the insidious wiles of the serpents it has nourished by its warmth.

There are other duties of action and of speech, whose proper fulfilment should ever be operative upon the American citizen; but they are all intimately connected with his duties at the ballot-box. They must be manfully performed, to render us the efficient champions of the liberties we enjoy.

The future contains the elements of disorganization. There is to be a terrible reckoning in the old world, between the people and their rulers. Liberty and despotism are preparing for their final conflict, and Liberty looks through the gloom to us for a ray of hope to cheer her in the battle.

Upon the plains of Italy, the battle-smoke wreathes upwards from the initial conflicts of a

struggle, which, to my mind, presages the final liberty of Europe; but it will be an ordeal of fire and blood. The conservative influences which have, for selfish purposes, evoked the demon of war, have also aroused a spirit in the people which cannot be propitiated or allayed.

Are we to remain silent spectators of the scene? Time alone will disclose our part. But in view of our position as a nation, representing that principle of government for which the earnest souls of Europe pant as "the hart for the water-brooks;" in view of the fact, written unmistakably in history, that Providence has assigned to us the solution of the great problem of our race, the capacity of man for self-government, it behoves us to preserve from taint our institutions, and to make our nationality so conspicuous in all true and manly requisites, that it may be a beacon whose rays shall ever shine with an undimmed and certain lustre.

And is the future without its dangers to ourselves? Is our isolated position to protect us from collision with the mighty powers beyond the Atlantic? God grant it may. But with our growth as a nation, our interests have proportionately extended. We are threatening to

overshadow the continent. Our relations with the South-American States that are now involved in civil war, may force us to assert the superior right of a progressive civilization to the control of a land upon which nature has heaped every blessing, over the misrule of semi-barbarous governments, which, in the name of liberty, trample upon humanity and law, and employ the superstitions of a degraded church to debase the intellect of the people.

But such a step on our part would arouse the watchful jealousy of foreign powers. If they should deny our right, as the leading government of the continent, to arrange, supervise and control, for the protection of our citizens and the furtherance of our commercial interests, the disordered affairs of our sister republics, war would be the melancholy but inevitable result. Are we prepared for such a struggle? Would the men of '59 breathe the patriotism of '76? Would the spirit of Lexington again animate the citizens? Would our batteries awake the echoes of Chippewa and Lundy's Lane? I pause not for an answer. A patriotism as pure and devoted as that of the Revolution would be exhibited : there would be but one cry, "To

arms;" but one spirit, *Dulce et decorum est pro patria mori.*

But the patriotism which would rally the people about the national standard, the spirit which would animate the battle-field, must spring from the consciousness of an honest performance of the manifold duties of citizenship. That alone can nerve the arm to strike right-handed blows for country, home, and altar.

The citizen who performs his duties is entitled to reward. Grecian and Roman antiquity decreed triumphal processions, wreaths and crowns, to him who on the battle-field or in the senate had served his country. The reward of the American citizen is the satisfaction of promoting the great cause of human freedom.

The liberty of the ancient republics was restrictive: ours is as expansive as the universe; its pulsations beat time to the march of the age, and throb with the heart of humanity. The lands conquered by our arms are blessed with our institutions. The presence of our flag guarantees the privileges of the Constitution. We annex, not alone to impose our civilization, but to confer our liberty. With what pride should the American citizen contemplate the progress of his land! What nobler reward for duty

performed can he ask, than to feel that the prosperity of this great nation has been entrusted to him, and that he has fulfilled the trust?

Every true citizen has a right so to feel. He has filled his sphere : he has given an example to the timid ; has been a reproach to the corrupt. He has assisted in accomplishing the purposes of another cycle of time, as it rolled on to its eternal judgment. What, in comparison, are crowns and wreaths? What, to the satisfaction of a great political duty performed, is a triumphal procession with its train of languid slaves, its neighing steeds, its glittering display of beauty, arms, treasure!

If the citizen will look over the vast expanse of the continent, and, seeing everywhere the evidences of a high civilization, will remember that it is the growth of years, not of centuries; will recal the fact that this wonderful development is due to the application of a single principle, the right and the ability of man to govern himself; and will learn, from the Constitution under which he lives, that to his care is entrusted that principle, his manhood must be aroused to meet and assist the great necessities of the times.

The crowded marts of commerce, the teeming cities, the plain and hill-side blooming under the skilful hand of man, the white sails dotting every lake and river, the energy that moves in every enterprize, speak to him with an eloquence and poetry so grand, so beautiful, so true, that he must respond in the performance of those acts which will sustain these efforts of the age, and keep in motion that high principle of progress which, on our shores, has found a development to cease only with time. Do we appreciate the position, perform the duties, enjoy the rewards? Do we, possessing the fullest liberty, know what it is to be free? Do we comprehend that the United States has established another fact in history, that republican liberty is compatible with good government? Ask the victim of Austrian persecution, what is liberty: of the martyrs to Napoleon's despotism on the pestilential shores of Cayenne, ask what is liberty: open the dungeons of the Neapolitan monster, and ask the noble souls there lingering in pain, what is liberty; and they will answer you by pointing to America. In our Revolution, they recognized the success of the principle. They sought to achieve it for themselves, in the very

efforts which have consigned them to the dungeon or to exile. Should not we who enjoy the blessing, appreciate it as fully as those who can only sigh for it? Should not their efforts to obtain it, make us all the more jealous of its care?

In the faithful performance of our duties, we discharge an obligation due to humanity. We are entrusted with a principle, whose preservation should be as dear to us as life and honor. When the Fathers announced it, they pledged to its success "their lives, their fortunes, and their sacred honor." That pledge was redeemed; the principle triumphed, and we to-day are living witnesses of their devotion. From this we learn to value our inheritance, and to perform the conditions upon which it is ours. When we forget by what tenure we hold this inheritance, we pronounce our own sentence of deprivation. But can it be that we shall ever forget? Is the victory of the Revolution to be sacrificed? Is the spirit of the Constitution to be thwarted? Are the glorious results of more than eighty years of freedom to be nullified? What say the men of America? Shall it be written in history that the last experiment of freedom failed, because the citizens of the re-

public forgot their duties? It is not because we are prosperous, not because our growth has no parallel in the experience of centuries, not because our strength is greater than at any other period, that we are to defy the possibility of national ruin. It is for these very reasons that we are to guard more jealously than ever the bulwarks of our strength; that we are to avoid the false expediences that usurp the place of principle; that we are to inculcate the elemental truths upon which our government is based, and upon whose preservation depends our perpetuity as a union.

Let us not boast of our strength. It is in the hour of success that the germ of decay is unfolded. It is in the day of prosperity that we should cling most firmly to that truth and virtue which sustained our patriot fathers, and made us free.

Men of America! Forget not your trust. Liberty, battling everywhere with oppression, looks to you as her standard-bearers. See to it that no stain sullies the stars and stripes. See to it that the glorious emblem of our freedom waves ever from our shores, the signal of rescue and assistance to oppressed humanity. The genius of our institutions, in the name of that

spirit of universal freedom before whose resistless presence the shackles of the slave fall off, and the man arises in the dignity of his nature, charges you to think of your privileges and your duties; to remember that Providence permitted you to exist as representatives of those great ideas which will one day vindicate their truth to the nations of the earth; to remember that your duty is to give these ideas that expansion and direction which their importance claims; to remember that liberty is unselfish, confined to no land, but belongs as a God-given right to every man that breathes; to remember, above all else, that, possessing liberty, it is your duty to protect it from the degrading contact with corruption at home, as well as against the attack of enemies from abroad. Make it a bright and burning light, an example to the nations, a reproach to despotism, an incentive to arouse the oppressed to vindicate their humanity.

And when, my countrymen, you have accomplished all this, you can claim, with just pride, descent from those patriot fathers whose lives were spent in stern conflict for great principles, whose deaths were blessed by the sweet consciousness of duty well performed. Then can you claim as your countryman, him whose

name, luminous with the glory of the noblest life which history records, is written in the heart of humanity, as before all others her chosen champion; whose pure and devoted patriotism is the corner-stone of our liberties.

Citizens, on this day renew your vows to your common country. Swear, at her altar, that no defection of yours shall cause her to swerve from the path of right. Swear that the holy flame of patriotism shall burn

> "Unquenched through ages,
> Like Vesta's sacred fire."

Make your standard of political excellence the faithful performance of your duties, and you secure to yourselves and your posterity the enjoyment of a freedom which will be purified and exalted with time.

The following poem and letter are introduced here as an appropriate accompaniment to the preceding address.

ELEGY.

O friend of other days!
So early fallen in thy manly prime!
In vain alike our grief, our praise —
Another victim of the traitor's crime.

Was it for this? — the toil of studious years —
That Spartan training for the Forum's strife;
Was it for this, that first among thy peers,
We saw thee move with splendor into life?

All had been lost, but that true hearts like thine,
When "shrieked the timid and stood still the brave,"
Strove to arrest the nation's swift decline
To an untimely, an ignoble grave.

* * * * * * * *

I would not look upon thee, dead.
Well memory holds the living form,
That, when our last farewell was said,
Vanished in darkness and in storm.*

O grave! there comes a princely guest!
Within thy chambers dim and cold,
Where sleep the brave, there give him rest,
With heroes of the Days of Old.

No more I hear that martial tone
Ring boldly out on Freedom's side:
There are, whose words are words alone;
But thou in Freedom's cause hast died.

O. B. HITCHCOCK, Class of '52.

* At our Class Meeting in '55, the late Col. JACKSON was present by invitation. We separated at a late hour.

LETTER.

Windham Centre, February 21, '62.

Professor Jackson :

I thank you for the kind expressions of your letter in reference to my slight tribute to the memory of the late Col. Jackson, your son, and my friend in college days.

Except the meeting mentioned in the note to the fourth stanza, I have not seen William since leaving college. His presence at our class-meeting was almost a thing of course. He always seemed to belong with us as much as to his own class; for he had many friends, many society and personal associates among us: He was quick to discern character; nor did class or society connections, those barriers to common minds, oppose any obstacle to his search for intellectual fellowship and social intercourse.

On my way to the West, July 3d, '59, I must have passed without seeing William. He was to deliver the anniversary oration on the next day in this place. The compact and classical oration was published,* a copy reaching me in the Mississippi valley. Well do I remember that afternoon of mingled reading and reverie out upon the prairie. The identity of the favorite speaker of the Philomathean was preserved in it : that the flower, this the fruit. The rhetoric of the collegian was condensing into the ethics of the statesman.

It would be difficult for me to recall another scholar of aspiring mind, so generous in his estimate of others, so exacting towards himself. His singular beauty of person was in harmony with the structure of his intellect, elegant without effeminacy, graceful yet full of strength. His habits of conversation did not tend to idle talk, but he touched at once some point of philosophy or criticism, working habitually in lines of thought which others traversed only at set times and after special preparation. His fine critical acumen I have had

* It was published in the newspaper issued at Windham Centre. No copy of this discourse was found among the papers of Col. Jackson; and for its preservation, his friends are indebted to the writer of the above article.

occasion to verify in subsequent studies : the sententious and just synthesis was not easily forgotten. Guarding himself from the allurement of literary embellishment by a patient study of the great masters in history and ethics, it was evident that his eye was upon the future, with wise forecast anticipating the need of discipline and accepting the established conditions of success.

It seems as yesterday that we walked in the garden, discussing the problems of life and history; joined in the debates; read or listened to the appointed essay. It seems but yesterday that he stood in his accustomed place, his eye suffused with inward fire, his voice rich and full of melody, his manner working upon all with a subtle pervading power, and eye and tone, gesture and presence, form and spirit, so wrought and attuned, so moulded and moved, so fashioned and informed with a vivid intelligence, that the mind's ideal was satisfied when William Jackson entered with his whole strength into a contested and prolonged debate.

Yesterday! a decade has passed! Duty took from his hand the pen, and replaced it with a sword, saying: Go, serve your country. It is the law of sacrifice. The unblemished is for the altar. Friendship mourns; a light has gone out in your dwelling, that no power shall ever relume; but the great cause for which he died invests with its own sacredness his memory. The light which is piercing our gloom, and which we trust shall fill all our sky, will shed upon the grave of your fallen son its own imperishable glory.

Very respectfully yours,

O. B. HITCHCOCK.

DOCUMENTS

RELATIVE TO AN

ATTACK UPON THE CHARACTER

OF THE LATE

COL. WM. A. JACKSON.

On the 1st of April, 1862, the Select Committee of the Legislature of the State of New York, on State Military Contracts, made a report. In this report is an assault upon the character of the late Col. Wm. A. Jackson. The charge against him is, that he used his official influence to procure for Brooks Brothers, of the city of New York, a contract for army clothing, and that as the reward of his services he received from them a suit or suits of uniform. The evidence of several persons is given to show that "he was," in the language of the report, "the most active man in arranging the details and modifications of the contract as it was finally agreed upon"; and the fact of the "valuable consideration" is attempted to be established by the testimony of Daniel Wormer. The testimony of Wormer, in full, is as follows:—

"*Daniel Wormer.* Q.—Were you in Albany at the time the Brooks' contract was given out?

A.—Yes, sir.

Q.—Did you see Robert Freeman here?*

A.—Yes, sir.

Q.—How long before the bids were opened did you see Freeman here?

A.—I saw him here several times.

Q.—Did you have any conversation with him about that contract before it was awarded?

A.—Yes, sir.

* Freeman was the agent for Brooks Brothers.

Q.—Did you understand from him that he knew such a contract was to be awarded?

A.—Yes, sir, and talked with him about that contract.

Q.—Give us, as near as you can, the impression he left upon your mind as to the time and manner in which that contract was to be awarded?

A.—I can tell you how he worked that contract through; he got it through Jackson.

Q.—What do you mean to be understood as meaning by that?

A.—I saw him, 'Freeman,' and Jackson talking it over; I know there were some suits of clothing given.

Q.—To whom?

A.—To Jackson.

Q.—Do you know that suits of clothes were given to other parties?

A.—No, sir; it was all worked through Jackson.

Q.—Was Freeman with Jackson here?

A.—All the time.

Q.—Was he at his house?

A.—Yes, sir.

Q.—Did you see Freeman in Albany on Friday or Saturday, previous to the letting of the contract?

A.—I guess I did, for he was here up and down.

Q.—Did he give you to understand that he was to get the contract?

A.—Yes, sir.

Q.—And it was to be let on the following Tuesday?

A.—Yes, sir.

Q.—Did he express himself in positive terms that he was to get the contract?

A.—Yes, sir, he knew he would; my mind was made up that he would; I knew what they were doing; I knew how he was fixing it with Jackson.

Q.—Did you ever understand that Mr. Freeman or the Brooks Brothers had made presents of money or goods, or any other valuable consideration, to any parties?

A.—No more than I was in Jackson's office one day; he had got some clothes of Freeman; says I, 'Jack, you are one of them—how long will he keep you in clothes for that contract?'

Q.—What did he say in reply to that?

A.—Nothing.

Q.—Was that before the bids were opened?

A.—I guess it was afterwards.

Q.—A suit of regimentals?

A.—I believe he got them afterwards; I saw him, Freeman, take the measure for a suit in Jackson's office; this other suit I refer to was an undress military. I guess they fixed that up pretty well between them."

This evidence is immediately succeeded in the report by the following comment:

"Whatever doubt may have existed as to there having been a perfect understanding between Mr. Freeman and Inspector-General Jackson, the authorized agent of the State Military Board, whereby he had early information as to their future action, must be entirely removed by the testimony of these witnesses, and particularly that of *Daniel Wormer*, a contractor by profession, and one not likely to misunderstand the details and necessities of a profession in which his own testimony, unwillingly given, proves him to have been an expert."

The conclusion at which the Committee arrive, in relation to Col. Jackson, is as follows:

"Col. Wm. A. Jackson, one of the prominent actors in this affair, has gone to his long home. Whatever of wrong he might have been held responsible for if living,

may be forgiven and forgotten out of respect for the memory of a soldier who laid down his life in the service of his country. That as a public officer, he was too warmly interested in behalf of Brooks Brothers—perhaps more on account of old friendship for Mr. Freeman—is apparent enough. Standing before a higher tribunal, to be judged more impartially and charitably than here, it is far better to attribute his partiality to an error of the heart, in a brave soldier and warm friend."

The members of the Committee were Edgar McMullen (chairman), Benjamin R. Wells, Geo. W. Hazelton, Andrew J. Provost, Nelson K. Wheeler. The report was signed by all except Mr. Wheeler.

On the 17th of April, Mr. Wheeler presented a minority report, the whole of which is herein given. *The part which relates to Col. Jackson is on the 11th page.*

On the 21st of April, a report, supplementary to the majority report, was made by Mr. McMullen, in which the charge against Col. Jackson is withdrawn. This report is also given in full.

Subjoined are extracts from the report of the "Military Board," in which particular attention is requested to the evidence of Gen. Anthon.

No breath of injurious suspicion should be suffered to rest on the memory of the dead when it can be wiped away. With a strong feeling of this truth, this pamphlet has been prepared. It contains, it is believed, a perfect vindication of the assailed; and it is respectfully requested that it be not treated as such things usually are, thrown aside and neglected, but that those parts of it, at least, which relate to Col. Jackson be read, and that it be preserved.

SCHENECTADY, *April* 28, 1862. I. W. JACKSON.

Report of the Minority of the Select Committee to Investigate the Transactions of the State Military Board.

IN THE ASSEMBLY, APRIL 17, 1862.

Mr. WHEELER, from the Select Committee, presented the following

REPORT:

The undersigned, one of the committee to whom was referred so much of the Governor's message as relates to the transactions of the State Military Board, established under "An act to authorize the embodying and equipment of a Volunteer Militia, and to provide for the Public Defense, passed April 16, 1861," with power to send for persons and papers, presents the following minority report:

That said Military Board was, by the above act, composed of the Governor, Lieutenant-Governor, Secretary of State, Comptroller, Attorney-General, State Engineer and Surveyor, and State Treasurer, and they were authorized to enroll and muster into service 30,000 men in addition to the military organization of the State at that time. The sum of $3,000,000 was appropriated by the same act to defray the expenses of its requirements.

In investigating the transactions of the Military Board while in the discharge of the duties conferred upon them by the above act, the committee have devoted much time and attention and taken an immense amount of testimony, but the undersigned regrets that he was unable to agree with the committee in every respect, ng reference to the manner of conducting t[illegible]icates vestigation or to concur in their report. [illegible] boxes

After a few of the first sessions of the tee, it became apparent to the unders[illegible]nd of the the energy and zeal of the chairman [illegible]e that they charge on his part all the duties [illegible]ood quality as him by the resolution of the undisputed fact which the committtee was [illegible]g the matter with elicit all the testimony that [illegible]ed 2,350 additional against anybody, and that [illegible]l made, worth some such a thorough investigat[illegible] fault or error on the part [illegible]garded as satisfactory by

and as he had made himself acquainted with all the charges that rumor had preferred not only against the Board, but against every person who in any way had or attempted to have transactions with them, the other members of the committee, and especially the undersigned, permitted the investigations, and especially the summoning and examining of witnesses to be conducted mainly by him. A reference to the large volume of testimony taken, the number of witnesses sworn, and the searching interrogatories put to each, will satisfy any one that the investigation *as against* the Board and many others, has been peculiarly and eminently thorough.

As an evidence of the disposition on the part of the chairman not to cover up any of the transactions of the Board, the undersigned begs leave to state that much of the report, of which the one signed by the majority of the committee is the *residuum*, was drawn by him before the members of the Military Board had been called before the committee to testify or explain in any way the charges preferred against them.

It has been essentially modified since it was first drawn, yet the undersigned is of opinion that it is still unjust towards the Military Board, whose transactions and only whose transactions we were authorized to investigate.

In regard to the Brooks' Brothers contract, the undersigned dissents from the general tone and apparent conclusions from the evidence as set forth in the majority report.

The undisputed facts in reference to this transaction are substantially as follows :

On the 16th of April, the law creating the Military Board was passed. On the evening of the same day they convened, and, among other things, resolved to raise seventeen regiments. On the 17th, they again convened, and after other business, conferred upon the Governor, by resolutions, large executive powers, and adjourned "to meet at the call of the Governor." On the 22d, they were convoked by him, and in the meantime he had been energetic and untiring in the extraordinary duties thus devolved upon him, and had been most of the time in New York sending forward the militia regiments for the immediate protection of Washington. A committee of military officers, consisting of General Jackson, Colonel Miller, Major Gates, and Major Talmadge, to make a report on the subject of uniforms, was appointed. At the meeting of the Board on the 22d, their report was presented to the State Military Board, which stated : "The cost of the uniform and clothing [illegible]be, in the opinion of the committee, about [illegible]t may somewhat exceed this if the great [illegible]larly t[illegible]for the article needed creates a proportion[illegible]understate in their market value." They also [illegible]unwilling[illegible]t they had "ordered to be made sam[illegible]jacket, trowsers and cap, which [illegible]for inspection at six o'clock [illegible]he Board then took steps for [illegible]r arms, equipments and sup[illegible]

The conclus[illegible] follows :

"Col. Wm. A.[illegible] long home. Wha[illegible] paragraph for the agent of [illegible] as follows : "Proposals [illegible]ediate furnishing of uni[illegible]2,000 New York volunteers, to be made at the capitol on the 23d inst., at 1 o'clock, P. M. Specifications of the articles required can be found at the Quartermaster-General's office in Albany." At the same meeting the Board resolved to raise 30,000 volunteers.

At a meeting on the 23d, the Governor, Treasurer and State Engineer, were appointed to examine the bids for uniforms and award the contracts therefor.

At a meeting on the 25th, the Treasurer from the committee on bids reported, among other things, that "The contract for $12,000 uniforms, consisting of overcoat, jacket and trowsers, to be made according to the samples in the Quarter-Master General's office, had been awarded to Brooks' Brothers, at $19.50 for each complete uniform, the uniforms to be delivered at the rate of 2,000 a week." And at the same meeting the Treasurer was appointed by resolution "to proceed to New York, there to confer with the Assistant Quarter-Master, General Arthur, and Major Patrick, in regard to uniforms; and also that he be a committee, in conjunction with the Commissary-General, to open and award the contracts for accoutrements then advertised for."

At a meeting of the Board on the 27th, the Treasurer reported that the "New York market could not supply the necessary cloth for the 12,000 uniforms of the pattern style, that he was therefore, after due consultation, obliged to substitute another style of cloth."

The oral testimony shows that the facts stated in the Treasurer's report were true, but that the Treasurer, for some reason unexplained, did not see, or at least did not confer with General Arthur and Major Patrick, in New York, upon the subject of the uniforms, but after he had ascertained, to his satisfaction, that a sufficient quantity of the sample army cloth could not be had in market to supply the demand for uniforms, he concluded to vary the contract from the terms of the bid made by Brooks' Brothers, and to accept from them for a large portion of the uniforms, cloth of which they furnished samples differing from the sample army cloth upon which their bid had been made.

At a meeting on the 1st of May, the Treasurer presented to the Board the contract which he had made with Brooks' Brothers, executed by him on behalf of the State, and severally executed by the co-partners under seal, which contract provided, among other things :

First. That the said parties of the second part, shall furnish, manufacture and deliver at such places in the State of New York as the Quarter-Master General of said State shall designate, the following articles of clothing, at the times and of the quality and description hereinafter designated, namely, twenty-six hundred dark blue kersey jackets, indigo blue, and all wool, of which one thousand shall be furnished on or before May 4, 1861, and sixteen hundred thereof on or before May 12, 1861, of which said blue kersey a sample is hereunto attached, marked "Brooks' Brothers, Sample No. 1." Also twenty-one hundred dark blue felt jackets, all wool, indigo blue, on or before May 12th, 1861, of which

said felt a sample is hereunto annexed, marked "Brooks' Brothers, Sample No. 8." Also seventy-three hundred grey jackets of cadet mixed satinet, to be delivered, one-half thereof May 4, 1861, and one-half thereof May 12, 1861, of which said grey satinet a sample is hereunto annexed, marked "Brooks' Brothers, Sample No. 3." Also one thousand dark blue kersey trowsers, indigo blue, all wool, to be delivered May 4, 1861, and fourteen hundred to be delivered May 12, 1861, of which said kersey a sample is hereunto annexed, marked "Brooks' Brothers, Sample No. 1." Also two thousand four hundred light blue army kersey trowsers, indigo blue, all wool, to be delivered on or before May 18, 1861, of which said kersey a sample is hereunto annexed, marked "Brooks' Brothers, Sample No. 7." Also seven thousand two hundred grey cadet mixed satinet trowsers, to be delivered, one-third May 12, 1861, one-third May 4, 1861, and one-third May 18, 1861, of which said satinet a sample is hereunto annexed, marked "Brooks' Brothers, Sample No. 3." Also four thousand brown mixed overcoats, all wool, to be delivered, fifteen hundred on the 4th of May, 1861, fifteen hundred on the 12th of May, 1861, and one thousand on the 18th of May, 1861, of which said cloth a sample is hereunto annexed, marked "Brooks' Brothers, Sample No. 4." Also sixteen hundred blue petersham overcoats, all wool, indigo blue, to be delivered May 1, 1861, of which said petersham a sample is hereunto annexed, marked "Brooks' Brothers, Sample No. 5." Also two thousand mixed kersey overcoats, all wool, to be delivered May 4, 1861, of which said kersey a sample is hereunto annexed, marked "Brooks' Brothers, Sample No. 2" Also four thousand and four hundred cadet doeskin overcoats, all wool, to be delivered, one-half May 12, 1861, and one-half May 18, 1861, of which said doeskin a sample is hereunto annexed, marked "Brooks' Brothers, Sample No. 6."

Second. The said jackets, overcoats, and trowsers shall be well and properly cut and made, and shall be of four sizes, and all the materials shall be of the best quality of their respective kinds, and they shall be made according to shape and form, according to certain patterns heretofore delivered by the parties of the second part unto the party of the first part, and marked A B and C.

The board thereupon by resolution approved the contract.

On the third day of May the governor appointed Wilson G. Hunt, John Gray, George Opdyke and C. Buckingham, four highly respectable gentlemen, to inspect the clothing furnished by Brooks' Brothers, under their contract. The inspectors with the contract samples before them gave the clothes such inspection as they could, or as they thought necessary, and left certificates of acceptance to be affixed to the boxes when packed.

It turned out, however, that a large number of the uniforms were defective, made from comparatively worthless cloth, and the work upon them badly done.

The military board refused to pay for them, and the result was that Brooks' Brothers agreed to, and did furnish to the board 2,350 additional first rate suits which were received by the board in full satisfaction of the alleged breach of contract.

These 2,350 suits were ordered by the board to be furnished without charge to those soldiers who had theretofore received the defective Brooks' uniforms.

In regard to all the facts above stated, the majority of the committee and the undersigned, all concur.

Whether the soldiers who had been badly served with uniforms actually received this new supply gratuitously, is questioned by the majority of the committee. But, that they were so ordered by the board and forwarded to the soldiers is undisputed.

The points raised before the committee for consideration, and where difference of opinion from the evidence before us might, and indeed did, to some extent, arise were :

First. Whether the Brooks Brothers' contract as finally concluded by the treasurer and approved by the military board, was fulfilled by the contractors.

The conclusion at which the undersigned has arrived, from the testimony before us, is, that it was not fulfilled; that a large number of the uniforms furnished were made from cloth greatly inferior to the samples annexed to the contracts; and that the workmanship of many of the clothes was very defective. This is evidenced by the testimony of Governor Morgan, Lieutenant-Governor Campbell, Attorney-General Myers, and others. It is true that the inspectors testified before the committee that the clothes were fully equal to the contract samples. But it should be borne in mind that they did not even assume to make that detailed and thorough inspection which was found necessary in such cases, and which was subsequently practised by other inspectors.

Indeed, every one knows that those gentlemen would never have accepted the appointment, if they had supposed that its duties required of them not only a minute inspection of the material of each of the 12,000 uniforms, composed of three articles each, viz., overcoat, trowsers and jacket, making in all 36,000 articles of clothing, but also the inspection of the manner in which the tailor had done his work. It is very evident that they made simply a general inspection, and that, like the Treasurer, they placed confidence in the contractors, so much so that after having made their inspection they left their certificates with Brooks' Brothers to be attached to the boxes after they should be packed.

But the evidence which, to the mind of the undersigned, has great weight to prove that they did not furnish uniforms of as good quality as the contract required, is the undisputed fact that, for the purpose of settling the matter with the State Board, they furnished 2,350 additional suits, of good cloth and well made, worth some *forty-five thousand dollars.*

This settlement was regarded as satisfactory by

the State Board, and that the State was thereby made whole. The undersigned regrets that, in consequence of the Brooks' contract having been sent to Washington, the committee have not been able to see the samples attached.

It is difficult to believe that the whole State Military Board would unjustly charge upon the contractors a non-fulfillment of their contract, and perhaps still more difficult to believe that under such unjust charge they would donate to the State a quantity of clothes worth $45,000.

Another charge in the majority report is, that the Board ought not to have ratified the contract made by Treasurer Dorsheimer, for the reason that it did not provide for army cloth.

The undersigned is of opinion from all the testimony, that this was not a wise contract—that it enabled the contractors in some way to impose upon the inspectors an inferior article of clothing which could not have been done if the contract had distinctly and rigidly provided for army cloth. The different kinds of goods enumerated in the contract were not familiar to the Board, but were old and familiar acquaintances to the contractors. And here it may be proper to remark, it is not impossible that the samples furnished the inspectors, although in the presence of Mr. Dorsheimer who confessedly was no judge of cloth, may have been in each case of the same trade name, and to the Treasurer of the same general appearance, yet very inferior in point of value to the cloth attached as samples to the contract filed, and then in the Comptroller's office.

If Brooks Brothers, as is claimed, had at the time of the inspection, their own duplicate of the contract before the inspectors, it should be considered that none of the State Board, except Dorsheimer, ever saw the duplicate with the samples thereon left with the contractors. These samples may possibly have differed from the samples annexed to the contract approved by the board.

The undersigned presents this view, not as the true one to be readily adopted, but as furnishing a theory which may, to some minds, explain why the inspectors were so confident that the goods furnished equalled the contract samples. In passing judgment however upon the wisdom of this contract, and especially its ratification by the Board some days after its execution in New York, we must remember that volunteers were enlisting rapidly — that the Board had some days before decided to raise 30,000 men—that the Brooks Brothers had commenced and were then making under the contract with Dorsheimer, uniforms with great industry and rapidity—that clothes must be had at once for the forces leaping, as if by magic, to their country's standard—that genuine army cloth could not be found anywhere in the market—that these samples appeared to the unpractised eye of the Treasurer and of the Board, to be nearly or quite equal to the army sample. Again each day involved large expenditures by the state in paying and subsisting the men, and the promptings of economy demanded the equipment of the troops as rapidly as possible. On the 21st of April, the day before the notice was published ior bids for uniforms, the Massachusetts troops had been assailed and murdered in the streets of Baltimore—all communication with Washington was cut off. The rebellion was making rapid head—rapid movements by the troops were indispensible to resist the swelling avalanche of armed traitors from Virginia which threatened the destruction of the National Capitol.

It could not be expected at such a time, nor ought it to be required of a newly organized Military Board, composed of men whose private life and whose official business was entirely of a civil character, that they should do everything pertaining to the sudden raising of a military force, with the perfectness which each member of the board could claim for himself in the discharge of the duties for which he was elected by the people.

Next it is intimated in the report that sufficient time was not given in the notice to the associated press, inviting proposals.

Undoubtedly, if the only question involved had been merely one of dollars and cents—if time had not been material, then the notice should have been for a longer period; but the Board had wisely caused to be appointed a Committee or Board of Officers to ascertain what was necessary for the forces they were raising, and the probable cost of furnishing the same for each man. They were not required by the act of April 16th to advertise for bids for anything. They might buy when and where and of whom they in their judgment thought best by private purchase. They did, however, advertise for bids, and received them from several, but from no one except Brooks Brothers, who engaged to supply the whole within the time required, and they found this bid within the estimate of the Committee of Military officers. As it resulted, if they had wasted a week in advertising, they would have gained nothing so far as army cloth was concerned, for the sudden demand had exhausted the supply, and it was not to be had in market at any price.

The majority report intimates that the fact that Freeman, agent of Brooks, was aware of the Board being about to buy uniforms by advertising for bids or otherwise, is evidence of something wrong on the part of the Board. The report does not specify what precise conclusions, reflecting upon the Board, are drawn from this fact; and the undersigned is unable to see why this is prominently set forth in the report. If this arose from the sagacity of Brooks' Bros. in foreseeing that necessarily the soldiers must have clothes, and therefore were on the alert for the contract, instead of surprise at this, we only wonder that more large houses were not also offering the clothes which they knew must be had. And again, if the knowledge by Brooks, of the probable action of the Board arose from direct communications to them by some of its members, this only shows that they were making active efforts to procure the articles required—others besides Brooks were invited to be present and bid. The undersigned cannot suppose for a

moment that the majority of the committee conclude seriously from this, that the Board at this time of intense anxiety on their part, when every nerve was stretched to its utmost tension to equip and hurry forward the volunteers to the defense of Washington, were planning to specially favor Brooks' Brothers, and to exclude others from competing with bids if they would furnish within the time the uniforms required.

If so, the answer is that there is no evidence whatever to justify such suspicions; and then the fact that others too, were talked with—that others bid also—that Brooks' Brothers, one of the largest if not the very largest of the New York houses in that line, actually did bid for army cloth, and to furnish the whole 12,000 suits in time—that they found themselves positively unable to make good their bid for want of material to be had in market—and that finally, they having failed to fulfil the Dorsheimer contract, were required by the Board, with a promptitude unprecedented in cases of wrongs done the State, to make restitution at once. This repels every presumption of favoritism towards Brooks.

The majority report states that "the committee are obliged, from the facts established by the evidence, to disagree with the report of the State Military Board," in relation to the Brooks' contract. The undersigned finds no evidence requiring the committee to disagree in the main with that report.

And again, after complaining of the shortness of the notice for bids, the report adds: "Yet the preceding five days had passed without any action—without calling public attention to the necessities of the State; but, on the contrary, representations were made by Adjutant-General Read that no immediate action would be had."

This, in the judgment of the undersigned, is unjust. The Board were overloaded with their onerous duties, and they discharged those duties with an energy, alacrity and success that astonished the State.

And why is a casual remark by Adjutant-General Read, who was not a member of the Board, foisted into the report, unless to create the suspicion, without evidence, that favoritism was meditated towards Brooks?

Immediately follows in the report a complaint that the agent of Brooks' Brothers knew, by verbal instruction from the Board, that a contract would soon be given.

The making of so much out of such little things shows that there was nothing of serious magnitude against the Board to be presented, and to have even this little thing dwindle into nothing, we have only to refer to the testimony of Arnoux, upon which it is based. Mr. Arnoux testified that on the 19th April, at Albany, Read told him "there were no proposals out, and if I wanted to do anything in that way to go home and make a written proposal, and my letter would go on file." This was in regard to uniforms, and four days before the contract was given to Brooks, and was not only truthfully said, but good advice, and yet the report effects to understand from this that "repaesentations were made by Read that no immediate action would be had." Evidently the writer of the report was hard pushed to find something to base a censure upon.

The report, after complaining that the Board did not examine the Dorsheimer Brooks' contract and samples attached, remarks; "One false step almost invariably leads to another;" and then shows up what is regarded as another false step of the Board, but neither the first nor the second pretended false step appears from the evidence. These remarks are too censorious in their tone and character.

The undersigned does not concur with the majority report in recommending the bill reported by the chairman for the payment of some $50,000 to the soldiers, at ten dollars each, who received the defective Brooks clothing. These soldiers have already had gratuitously those 2,350 suits furnished by Brooks' Brothers to make their contract good. The State charged the General Government, as the Governor and others testified, for the 12,000 suits $19.50 each.

The Board all think, according to their testimony, that this supplemental supply from Brooks was sufficient to atone for the deficiency in the first instance.

The soldiers have had the full benefit of that supplemental supply without charge, so that those who had defective clothing in the first instance had the first wear of them and then an entire new suit without paying for but one.

The representations of the majority report would have the reader to understand, that these 2,350 suits have been charged to the soldiers receiving them. If the General Government authorities have done this, it is not in accordance with instructions from the authorities of this State, and will be corrected on proper application to the Federal authorities. The report avers that there were at least 5,000 uniforms unsuitable for service charged to the soldiers who received them at $19.50 each. The undersigned does not think the evidence justifies this assertion as to the number. The Governor and other State officers testify, in substance, that there were different grades in the quality of the uniforms not made of army cloth, that some of them were nearly worthless, while others were not much inferior to army cloth suits, and that as a whole, no State in the Union have better equipped soldiers especially in their uniforms, than the New York Volunteers.

But suppose there were as many as 5,000 suits unfit to wear, distributed among the soldiers as claimed by the majority report, still 2,350 of these were re-supplied gratuitously to the respective soldiers having such defective uniforms, leaving 2,650 to be provided for at $10 each as the bill provides, which would be $26,500 instead of $50,000 as the bill now is.

But the undersigned is of opinion that substantial justice has been done already to the soldiers who were supplied under the Brooks' contract, and that to pass a law distributing $50,000 equally among 5,000 troops who may claim that their uniforms were defective, will give rise to

greater wrongs and frauds upon the State, than of real benefit to deserving soldiers.

SECOND CLOTHING CONTRACT.

The undersigned did not, while the committee were prosecuting their investigations, see the necessity of taking such a mass of testimony upon the subject of the second clothing contract, nor does he now see the propriety of dwelling upon it so long and so elaborately as is done by the majority report, with such copious extracts from the testimony taken on this subject.

In the judgment of the undersigned, the whole affair is simply and plainly this, as substantially sworn to by some of the members of the Military Board, and corroborated in the main by the witnesses brought against them.

They required 15,000 more uniforms, and on the 9th of May they ordered advertisemeuts for proposals, to be published in a large number of New York and other papers. The published notice for bids closed by saying :

"The Board reserving to itself the right to reject such bids or any of them, if they shall deem it advisable."

This notice was published till the 18th of May then instant. In the meantime the Board, by inquiry and otherwise, had ascertained what would be a fair price for the articles.

They had made arrangements with Mr. Cameron, Secretary of War, to have the volunteers received by the General Government as soon as they were equipped and at the depot. The pay and subsistence for one day would be some $5,000 for the 15,000 troops to be equipped, and as soon as they rendezvoused at the depot those expenses would cease so far as the State was concerned, and be borne by the general government, and besides the troops were needed immediately in the field for active service.

All minor considerations very properly were made to yield to the necessity of pushing forward the troops at the earliest possible day.

They must not and would not be disappointed in securing the requisite uniforms in time, and in having them of a good quality.

Before opening the bids they had ascertained that the Kellogg cloth, so called, was perfectly reliable, and for the purpose of inducing competition, and of ensuring the obtaining of the uniforms within the requisite time, they decided to pay eighteen dollars, which they regarded as a fair price for each, not so high as to make it a speculation to the contractor, nor so low as to compel him to abandon his contract or to furnish an inferior article, and instead of giving the entire contract to any one bidder, they divided it into six equal parts among certain of the bidders. The disappointed bidders, as they always do in such cases, of course complained. But the undersigned does not see that here is anything that ought to be very seriously discussed by the committee. There is no possibility of any corrupt motives having governed the Board in this matter, nor are such motives pretended in the majority report.

The utmost that can be said, therefore, by the committee, is, that in their judgment the State Military Board acted unwisely in distributing among six persons or firms what was offered to be done by one at a lower price. I have not thought it constituted a part of the duty of five members of Assembly who have no special military experience, and none of whom ever served in the offices of either of the members of the Military Board, to sit in judgment upon the soundness or unsoundness of a decision of the Board, giving this contract to six parties, at $18 each. They knew more about the matter than such committee possibly can. Everything was fresh before them. They had no motive to decide against the public interests, and it cannot be the duty of the committee to act as an appellate court and review that decision when nobody complains except disappointed bidders. It was a legitimate business transaction of the Board. They were successful in it. They got good uniforms, and within the time required, and the public interests were properly subserved. This was the main thing they aimed at. All who wish can, by reading the testimony, decide for themselves whether this transaction was wise or unwise. The undersigned, however does not concur with the majority report in giving such prominence to the complaints of disappointed bidders. Nor in the sentiment expressed as follows: "Your committee feel constrained to say that the matter is involved in much doubt."

CAPS

The Board advertised for bids for 15,000 caps. They awarded the contract to Murphy and Childs at $0.95, after carefully inspecting all the samples presented by other bidders. The disappointed complained, and they have been permitted to testify before your committee, that they would severally have furnished as good an article for a less sum. The members of the Board testify, in substance, that they were of opinion that Murphy & Childs' sample was the best.

They wanted a good article, and they were fearful that others offered at a lower price, would not answer. Undoubtedly, afterwards, as experience and skill in the manufacture of caps progressed, this same article could have been obtained at a less price, but certainty as to the receiving of these articles in the time required, in sufficient quantities, and certainty as to the quality, was deemed by the Board paramount to any considerations of a few cents each in their price. The majority report charges no improper motives upon the Board in awarding this contract, and the undersigned dismisses this subject with the same general remarks that he has applied to the second clothing contract.

SALARIES OF STATE MILITARY OFFICERS.

The majority report asserts "that the State appropriated and paid out of the general fund for the year ending September 30, 1861, to the Adjutant-General, $1,500; assistant do., $1,000. J. Meredith Read, Jr., Adjutant-General until August 14, was paid out of the three million fund specially appropriated to the embodying and equipment of the volunteer militia, the sum

of $859.88 for the four preceding months. His salary by law was, for that period, six hundred dollars, and which sum was also paid him out of the State treasury. Hon. Thomas Hillhouse, who succeeded Read as Adjutant-General, was paid for five and half months' service, $1,326.73. The Assistant Adjutant-General is entitled to a salary of $1,000 per annum. Duncan Campbell, for nine and a half months' service, was paid $1,541.50, which sum was charged to the United States government, and paid out of the three million fund, and in addition to salary allowed by this State. The Judge Advocate General is entitled by law to a salary of $150. William H. Anthon, Esq., was paid for service of nine months and one-half, the sum of $2,233.60, out of the same fund."

The substance of this, is, that the regular state military officers, who in time of peace are entitled to annual salaries, have, not only during the last nine months received their regular state salaries, but have also received from the three million fund the pay of regular army officers.

If this was so, it would be very reprehensible, and not only those officers, but the state military board should be severely censured for it; and for the purpose of ascertaining the truth to a certainty, the undersigned addressed a note of inquiry on the subject to the Comptroller, and received in reply the following with the accompanying statement:

COMPTROLLER'S OFFICE,
Albany, April 5th, 1862.

HON. NELSON K. WHEELER,

Dear Sir:

In reply to your note of yesterday, I send you herewith a tabular statement, made up from the books in this office, showing the amount of the annual salaries of the several officers named, the amount of such salaries for the ten months, from the 1st April, 1861, to 1st February, 1862; the amount actually paid to those officers by order of the military board, for services during those months, and the excess of such payments over the regular salaries. This, I believe, answers all your inquiries. I should perhaps state in further explanation, that the amount allowed to these several officers was not fixed by the board until the 20th November, 1861, as you will find by reference to the report of that board, page 212. The amounts paid previous to that date, and subsequent to April 16, 1861, were to be deducted. The regular salaries had been paid as usual previous to the order of the 20th November, and the amounts so paid were deducted from the amount of pay authorized by that order.

Very truly yours,
L. ROBINSON.

See Table.

STATEMENT *showing the Annual Salaries of certain persons in the employ of the State; the amount of such Salaries for* 10 *months; the amounts actually paid, and the extra allowance to each.*

	Annual salary.	Salary from 1st April, 1861, to 1st Feb., 1861.	Amount actually paid.	Extra allowance.
J. M. Read, Jr., Adjutant-General, ...	$1,500 00*	$558 43	$926 64	$368 21
Thomas Hillhouse, Adjutant-General, ...	1,500 00†	675 27	1,306 17	630 90
M. R. Patrick, Inspector-General, ...	2,000 00	1,666 66	2,233 69	567 03
Benjamin Welch, Jr., Commissary-General, . .	1,500 00	1,250 00	2,300 27	1,050 27
William H. Anthon, Judge Advocate-General, .	150 00	125 00	2,233 60	2,108 60
Duncan Campbell, Assistant Adjutant General,	1,000 00	833 33	1,585 95	752 62
L. L. Doty, Private Secretary to Governor, . .	2,000 00	1,666 66	2,061 08	394 42
		$6,775 35	$12,647 40	$5,872 05

* From April 1st to August 14, 1861. † From Aug. 19, 1861, to Jan. 31st, 1862.

It will be seen from this, that these officers have not received double pay, but an amount in all, equal to pay of regular army officers, of the rank of majors and captains respectively, from the 1st of April last, to the 1st of February last, which is larger than their salaries.

Whether they ought to have discharged the extraordinary duties which devolved upon them, for their regular peace salaries, or whether they were equitably entitled to regular army pay for officers of those grades—are questions which the undersigned leaves without comment.

These officers claim that they were entitled by their rank to the pay of officers of a higher grade, but voluntarily and generously consented to receive the pay of lower grade officers.

The above material error as to facts, undoubtedly arose from want of time in the committee, to thoroughly investigate the matter, after receiving the vouchers from Washington, and not from a disposition to misrepresent.

ACCOUTREMENTS.

In reference to the contract for accoutrements, the undersigned will first state the facts in the case which are undisputed:

On the 24th of April, at a meeting of the Board the Governor—who had previously been authorized by the Board to purchase accoutrements and equipments—reported that he had ordered the publication of the notice drawn out and spread upon the records of the Board, with the name of Benjamin Welch, Jr., Commissary-General, subscribed thereto, a copy of which is given in the majority report of the committee, and

which is dated April 20, 1861, inviting bids for cartridge-boxes, knapsacks, haversacks, &c., &c.

The notice, as drawn by the Governor, was forwarded to Commissary-General Welch, then in New York, on the 20th or 21st of April, with instructions to publish the same in the daily papers of the city.

By the notice, the bids were to be presented and the bidders requested to meet at the Commissary-General's office in New York on the 26th of April. General Welch caused the notice so sent to him from Albany to be properly published.

On the 25th day of April, the day previous to the opening of the bids, the Treasurer, Mr. Dorsheimer, was, by resolution of the Board, appointed "to proceed to New York, there to confer with Assistant-Quartermaster-General Arthur and Major Patrick in regard to uniforms, and also that he be a committee, in conjunction with the Commissary-General, to open and award the contracts for accoutrements now advertised for."

On the 26th, Mr. Dorsheimer, together with General Anthon, Inspector-General Jackson, and Colonel Shepard, were present at the Commissary-General's office in New York, to consult in reference to the contracts to be awarded, who, together with General Welch, as he testifies, concurred in awarding the contract for all the accoutrements to Thomas C. Smith. Smith bid for himself and one Godwin. Smith's interest in the contract was one-third, and Godwin's two-thirds. Mr. Dorsheimer was the only member of the Military Board there.

The undersigned dissents from the majority report on this subject, and especially from the peculiar spirit and tone in which it is written.

The report asserts that "the State paid, on this contract not less than $70,000 over and above the market value of the goods."

In the opinion of the undersigned, this is an overestimate.

It should be considered that this is based upon the testimony of disappointed bidders, who now testify from the experience and skill since acquired in the manufacture of those articles, and state what they would have furnished the articles for. Very few persons then knew anything about the actual cost of those articles, and less still, perhaps, of the pattern or style required for each. The bidders who bid less than Smith, as General Welch testifies, based their respective bids upon samples furnished by each, and not as the notice specified, and then only for a portion of what was required.

Smith, however, bid for the whole, and on the terms of the notice emanating from the Governor, viz., that the articles were to be of the "army pattern."

The contract with Smith having been approved by Welch, Dorsheimer, and all the military officers present, it is to be presumed that there were valid reasons which induced them to award the contract as they did.

There is no proof that either of them had any personal motive or interest to reject or to accept any bid, except the mere fact that Gen. Welch was a friend of Godwin.

The doctrine of the majority report, in reference to this fact, would seem to be, that an agent of the State must give all contracts either to enemies or strangers, and never to friends (though entitled by the terms of their bids to receive them), or such contracts will be deemed corrupt.

As to the subsequent change of the knapsacks from vulcanized rubber to enameled cloth, Gen'l Welch testifies, that "after some vulcanized rubber knapsacks had been supplied, it was suggested by parties that the rubber knapsack was not as good as the enameled cloth, and thereupon he dispatched a messenger with both knapsacks to Albany to the Board, and they referred the matter to Major Patrick, who was officially connected with the Military Board, and who approved of the change. Major Patrick directed him to accept the enameled cloth knapsack; the witness "had no knowledge of the value of these goods at the time." This testimony is uncontradicted.

Godwin testifies that he believes that some few of the vulcanized rubber knapsacks were made before the change, and that many officers objected to them. Welch testifies that some 2,000, more or less, were furnished of rubber, and that the change was some two or three weeks after the contract.

The undersigned has no special comments to make upon this entire transaction, except to state that in his opinion, from the testimony, there is no doubt but that the Smith contract turned out to be a profitable one; that at the present time (and possibly then, if a close bargain had been driven), a more favorable contract for the State could be made, than provided for in the Smith contract. No testimony was given before the committee, going to show that any person, acting on the part of the State, had any interest in the contract.

General Welch testifies that he knew of no person having any interest in the contract, except Smith & Godwin. Godwin testifies that his interest in the contract was shared by one George H. Peck, and by no other person; and the only fact upon which an argument can be based, that this was not a judicious contract, is the testimony of the disappointed bidders, and possibly some others, that the contract was let at prices above the market value of the articles.

The undersigned in this connection states, that he sincerely regrets his inability to concur with the majority of the committee in their report.

In the laborious and responsible duties to which the committee have been subjected, he has been highly gratified with the harmony of sentiment and views between him and all the other members of the committee (except the chairman,) upon every question arising, whether general or special, and he is fully satisfied that those members inteuded to discharge their duties honestly, fairly and fearlessly.

They spent much more time upon the committee, and especially in the examination of witnesses, than the undersigned, who had but little to do with the taking of the testimony—that being mainly conducted by the chairman—the

undersigned simply examining the testimony after it was so taken. And the undersigned has an impression that much of the testimony so taken, would have been regarded by those members as improper or immaterial, if they had acted directly in the matter themselves. The relations between the chairman and the undersigned were personally pleasant.

The undersigned was, during the investigation and still is, deeply impressed with the responsibilities attaching to the duties of the committee. On the one hand, it was believed by the community that since the commencement of this unhappy war, and especially since the raising of large sums of money commenced, its expenditure in many cases through the land has been marked by fraud, incompetence, recklessness and extravagance. If any such cases existed in this state, they required a thorough investigation and a bold exposure, and emphatically if the indications to the committee in reference to any given transaction were that corruption was connected with it, their duty was to probe it to the bottom and fearlessly lay it before the legislature and the world. But on the other hand, the innocent ought not to be confounded with the guilty.

The powers conferred upon the committee in the nature of a secret inquisition to call before them any witnesses they pleased, and draw out testimony in their discretion, no matter whose character might be thus assailed, made it eminently proper that those powers should be exercised with great prudence as well as energy. It was quite as much our duty not to improperly accuse before the public an upright man by receiving and publishing illegal testimony against him which could easily be explained or rebutted by other proof, as it would have been to refuse to take testimony that would expose a case of actual fraud. The parties accused were not present before us to hear the witnesses testifying against them. They had no opportunity to defend themselves, except to explain as well as they thought necessary, their general transactions without knowing the testimony against them. In such cases *prima facie* testimony should be received and scrutinized with caution, especially if it is hearsay or other illegal testimony coming from accusing witnesses smarting under the disappointment of rejected bids.

The majority report in several places points at the transactions of the late Col. William A. Jackson, with the charge covertly but substantially made against him, and in several places reiterated that he corruptly procured the contract for Brooks, and was paid for his favoritism by a suit of clothes.

The only evidence upon which the report bases this pretended suspicion is, that he appeared to be active in effecting the contract with Brooks' Brothers, and that afterwards he was seen publicly to be measured for a suit of clothes. It was a part of his official duty to aid in procuring uniforms, and if his official action in that direction was honest as well as energetic, he is to be commended rather than blamed. It is not just to infer dishonesty from official industry, nor a corrupt intent from efficient action. It is taxing credulity too far, to believe that for a paltry suit of clothes, any man in his position and under the exciting circumstances then surrounding him, would, at the risk of his reputation and regardless of the interest of the volunteers he was engaged in raising, knowingly and corruptly urge upon the board a bad contract for clothes. Professor Jackson, of Union College, the father of the young soldier who died in his country's service, has furnished the undersigned with his affidavit showing that the bill for clothes, annexed thereto, from Brooks' Brothers, against his son (not receipted), was found among his papers after his death, which occurred on November 11, 1861. This proves that they at least never intended these clothes as a gift, and, besides, they afterwards forwarded to the father a duplicate of the bill for payment. The testimony of Wormer carries its own impeachment on its face. His testimony is too willing—too suspicious—too malicious in its character, to convince anybody of what it aims at. Col. Jackson is now dead. The evidence, to make the most of it, is only slightly circumstantial, and that explained away, and would not convict him of fraud before a jury even prejudiced against him. Why now drag his case before the world? No good can come of it. He is beyond the reach of censure or of praise. The only effect will be to excite the indignation of his numerous surviving friends, and to add another wail to the family circle of the young officer equal to that produced by the news of his death and especially to torture the heart of his respected father, who loved him so well when living, and is so sensitive to his fame now that he is dead. All that is now left of Col. Jackson to his family and friends is his memory; and humanity revolts at this wanton impeachment of his manly reputation. He was respected and beloved by all who knew him. It is cruel—cruel as the grave which now holds him—that his reputation should be assailed when he cannot defend it. He cannot speak for himself, but the undersigned now speaks for him, and begs of the just and generous that they will repel with scorn this attack upon the memory of the lamented soldier.

In conclusion the undersigned remarks, that in discharging his unpleasant duties as member of the committee, his principle and disposition have been on the one hand, that no considerations of a personal or political character, and no combination of official power or influence if attempted should deter him from a full exposure of every reprehensible fault when satisfactorily ascertained in any person, high or low, within the scope of our legitimate inquiries. Yet, on the other hand, he would not fling to the world mere suspicions, which he deemed unfounded, against an innocent man or one not proved guilty.

It is not right that evidence only tending to suspicion after a full investigation should be construed as proving partial guilt.

The man charged is either innocent or guilty. If the proof is unsatisfactory of his guilt he should be regarded as wholly innocent, especially in a one-sided proceeding like ours.

But all the testimony has been reported by the majority of the committee, and is before the world, and it may be safely said that no testimony which could be obtained against the Military Board has been omitted. On reading that evidence others can decide upon the charges preferred or suggested equally well with the undersigned.

Nothing is covered up—nothing is withheld. But the undersigned cannot, on his part, avoid considering that the call of the President for troops required prompt action on the part of the State authorities; that time was the great consideration in procuring the necessary supplies, and hasty, perhaps inconsiderate, action in many instances was the inevitable consequence. Arms were procured here as far as practicable, and an agent also sent to Europe for that purpose. Uniforms, equipments, supplies and other requisites they obtained as they could, and within eighty-five days from the passage of the act, creating the Board, the last one of the 38 regiments, containing 30,000 men, fully armed and equipped, was on its way to the National battlefield. All this was in addition to the preparing and sending forward of the regular State Militia regiments. This reflects great credit not only upon the Military Board, but upon the efficient officers of the several Staff Departments of the State, who aided them in their arduous and successful labors. Under such circumstances the undersigned is disinclined to review with rigid scrutiny the wisdom of the details of their action. Even Dorsheimer, who was undoubtedly imprudent and unskillful in the matter of the Brooks' contract, should not be censured too severely, unless some one should draw the inference that he was corrupt, and to such a person the undersigned has nothing to say. A truly upright man considers whether what he is doing is *right*, not how others will look upon it, and he who seeks to establish a reputation for honesty by so shaping his conduct as to avoid the suspicions of others, and shrinks from fearlessly doing in any case what his judgment tells him is right, lest appearance should condemn him, is not only a moral coward, but half a knave.

As a whole, in the action of the Military State Board, the undersigned finds cause for commendation rather than censure; for confidence rather than distrust; for congratulation rather than complaint. Certain he is, that he has been unable to discover the great wrongs which the majority report affects to have found in the investigation.

All of which is respectfully submitted.

NELSON K. WHEELER.

ALBANY, April 15, 1862.

Supplementary Report of the Majority of the Select Committee to Investigate the Transactions of the State Military Board.

TO THE ASSEMBLY.

The Select Committee appointed to investigate the transactions of the State Military Board, present a supplemental and final report as concluding the labors imposed upon them by the action of the Assembly.

Errors of conclusion, based upon imperfect testimony and in part of impaired recollection, your committee do not feel responsible for. While prosecuting the investigation, your committee neither attempted to establish the complicity of any person with dishonorable transactions, nor did they seek to shield any party from the blame which must necessarily attach to such associations. In directing special attention to testimony, your committee are not conscious of having failed to present *all* the facts affecting the official or personal integrity of every individual named therein.

Since presenting the first report, testimony has been taken which places the official action of the late Wm. A. Jackson in a different light, changing the conclusions to which your committee then arrived. The facts as they now appear, show that Mr. Jackson was at New York in the discharge of his official duty, and that involved a cognizance of the Brooks' contract, and had he failed to exercise an official supervision of that contract, the evils which subsequently grew out of it might have been partly laid at his door.

From the testimony of Daniel Wormer, and to which too much importance was attached, inferences were drawn which subsequent inquiry proves to have been erroneous.

The affidavit of Professor Jackson, father of Wm. A. Jackson, shows that the suits of clothing to which Wormer refers, were simply purchases, and so understood by the parties to the transaction. The testimony of some of the best citizens

of Albany, as to the character of Wm. A. Jackson, is herewith submitted, that it may correct any wrong conclusions embraced in our former report, based upon the testimony then presented to your committee.

The statements previously made, as to the salaries paid members of the Governor's Military staff, were based upon information received from and which grew out of a misunderstanding at the Comptroller's office.

In behalf and by order of the Committee.

EDGAR McMULLEN, *Chairman.*

ALBANY, *April* 19, 1862.

TESTIMONY.

ALBANY, April 18, 1862.

Governor E. D. Morgan sworn :

First Question—Was William A. Jackson, deceased, at New York, on or about April 25th, 26th and 27th, 1861, by order of State Military Board, and was he ordered or requested by you to consult with Brooks Brothers, or Philip Dorsheimer, as to the completion, alteration or character of the contract made for 12,000 suits or uniforms for the State Military Board? If yea, state in what manner.

Answer—William A. Jackson, Inspector General, was in New York at or about the period mentioned, not by order of the Military Board, however, but for the purpose of attending to the duties of his position; and while he was not formally ordered, or so far as I can recollect, even requested to consult with Brooks Brothers, or Mr. Dorsheimer, as to the completion, alteration, or character of the contract made for 12,000 uniforms, it was nevertheless but natural and proper that he should be consulted with, and fully inform himself about the progress of the contract, especially as in his official capacity he had just been acting as Chairman of the Board, convened to determine upon the bill of dress adopted for the New York Volunteer Soldiers, and was aware that it was the desire of the Board to have the uniforms furnished at the earliest day possible.

Second Question—State generally what knowledge you have as to the official conduct and action of Wm. A. Jackson while Inspector General, and whether in the discharge of his duty any reasonable ground of complaint existed.

Answer—He entered upon his duties January 1st, 1861. His duties were confined to the usual personal examination and conducting the ordinary correspondence of his department, previous to the breaking out of the rebellion in April. He was among the first of those consulted about the organization of the forces and the mode of equipping the Volunteer soldiers under the Act of April 16th, 1861, and up to the time of his accepting the Colonelcy of the 18th Regiment, early in May, his duties were zealously and honestly performed. His whole official conduct, so far as I have any knowledge and opportunity for judging, was becoming to him both as an officer and a man.

ALBANY, April 18, 1862.

Wm. H. Anthon, Esq.:

SIR—You will please answer the following interrogatories:

Question—Were you at New York city on or about April 25, 26 and 27, 1861; and did you at that time have official intercourse with Wm. A. Jackson, deceased?

Question—Did you understand from him, or did you assume, from the character of his official position as State Inspector General, that he was authorized or required to take official cognizance of the Brooks' contract for clothing? If yea, state the character of your communication and the nature of Mr. Jackson's connection with said contract, and whether he was exceeding his powers or duties as Inspector General, in advising with Brooks Brothers and Mr. Dorsheimer, as to the final disposition of said contract.

By order of Assembly Committee appointed to investigate Transactions of State Military Board.

(Signed) EDGAR McMULLEN, *Chairman.*

The answer of William Henry Anthon, Judge Advocate General of the State of New York, to the interrogatories propounded by Hon. Edgar McMullen, Chairman of the Assembly Committee, appointed to investigate transactions of the State Military Board.

To the first interrogatory he answers: Yes.

To the second interrogatory he answers that he did both understand from what was communicated to him by Inspector General Jackson, and assume from the nature of his official position that General Jackson was authorized and required to take official cognizance of the Brooks' contract for clothing, and had visited New York for the purpose of giving to the contractors minute and particular instructions as to the manner in which the uniforms were to be made, and that he was not exceeding his powers as Inspector General in so doing, and that it was part of his official duty to advise with Brooks Brothers and Mr. Dorsheimer as to the final disposition of said contract.

April 18th, 1862.

(Signed) WM. HENRY ANTHON,
Judge Advocate General,
State of New York.

Sworn to before me, April 18, 1862.
EDGAR McMULLEN, *Chairman.*

ALBANY, April 17, 1862.

John B. Sturtevant sworn :—

Reside in Albany. I know Daniel Wormer—have for 8 or 10 years; I am personally acquainted with his general reputation for truth and veracity; his general reputation for truth and veracity is bad. I have no hesitation in saying that to shield himself from any criminal or pecuniary responsibility he would give testimony which would cast unnecessary and unfounded suspicion upon other persons. I have done business for, and had litigation against him, and our relations now are friendly. I knew W. A. Jackson well, and for several years. I do not believe that in his official action he would have been governed by improper motives.

ALBANY, April 17, 1862.

Henry H. Martin sworn :

Reside in Albany; I know Wm. A. Jackson, deceased; have known him since he was a child; I never knew him to do a dishonorable thing or give utterance to a dishonorable sentiment; I considered him a man of high-tone and good moral character; I can speak unqualifiedly; I thought him incapable of any dishonorable act, officially or personally; nothing but the strongest proof would influence my opinion, certainly no insinuation or inuendo would lead me to think he could have been capable of improper conduct.

Rufus H. King sworn :

Reside in Albany.

Question—Are you acquainted with Daniel Wormer ?

Answer—No, sir.

Question—Were you acquainted with Wm. A. Jackson, deceased ?

Answer—Yes, sir; I had no special knowledge of his military conduct or action; I knew him personally, very intimately, and never knew anything wrong of him. His character for truth and veracity was as good as that of any young man in town.

ALBANY, April 17, 1862.

STATE OF NEW YORK, City and County of Albany, } ss.

Isaac W. Jackson, of the city of Schenectady, being duly sworn, says that he is the father of Col. W. A. Jackson, deceased. That since the death of his son William, he received from Brooks Brothers a bill for goods sold to said William, which bill is hereunto annexed; that said bill was mailed to this deponent on or about the 10th day of February, 1862, as this deponent verily believes.

Deponent further says that among the papers of his said son, which have come into possession of deponent since the death of said son, he found another bill in all respects like the one hereto annexed, which was sent to deponent's son by Brooks Brothers, prior to his death, as deponent verily believes.

(Signed) I. W. JACKSON.

Sworn to before me April 17, 1862.
J. HOWARD KING, *Com. of Deeds.*

NEW YORK, Feb. 18, 1862.

Mr. W. A. Jackson,
Bought of Brooks Brothers,
Clothing House,
Broadway and Grand Street.

June 29—Coat 27, Overcoat 35, Pants 11, do 9,	$82
July 11—Flannel Coat,	14
	$96

Extracts from the Report of the Military Board, made January 9, 1862, being Document No. 15 of the Assembly.

WILLIAM H. ANTHON, of the city and county of New York, Judge Advocate General of said State, being duly sworn, testified as follows, viz.: On the 25th day of April, 1861, Inspector General Jackson called at my office, in the city of New York, and requested me to go with him to the store of Messrs. Brooks Brothers, to draw a contract for the furnishing of uniforms for the New York State volunteers; when I arrived at the store of Messrs. Brooks, I found General Jackson there, in company with several of the firm of Brooks Brothers, inspecting samples of cloth; the Messrs. Brooks stated that they had sent all over the city to obtain army cloth of the character decided upon by the State Board, but could only obtain sufficient for three regiments, and that the samples of other cloths which they exhibited could be obtained in sufficient quantities, and that they were willing to make the uniforms of these cloths, although it would be a loss to themselves, as they were more expensive than those selected by the Board; I am not an expert in regard to cloths, but the samples were fresh, new and strong, and seemed to me to be in every way suitable for the purpose: I did not, however, feel myself qualified to express an opinion upon this point as an expert; I suggested to the Inspector General that it would be well to telegraph to other cities in order to learn whether the requisite supply of army blue cloth, of the character selected by the Board, could not be thence obtained; the Messrs. Brooks stated that they had done so, and that, owing to the immense demand for this material, the stock had been completely exhausted; that the mills both here and elsewhere were running night and day, but that it would delay the execution of the contract at least one month, unless other cloth was selected; the conversation upon this subject lasted about one hour, and was interrupted by a messenger, who came to say that the agents of other states (I think Ohio and Pennsylvania were the states named) wanted the goods of which the Messrs. Brooks were showing us the samples, and that a decision must be made at once, or else they would be sold. The Messrs. Brooks stated that if these goods were sold, they knew not where they should find others suitable for uniforms; I advised Inspector General Jackson to telegraph to Albany for the opinion of the State board upon the subject; he answered that he had already done so, but had received no answer, although his despatch had been sent more than three hours before.

The Messrs. Brooks seemed very anxious to have the matter settled, lest they should lose the goods, and sent a person to the stores of the merchants to request them to make no sale to any other parties; the answer came back that they refused to hold the goods for them any longer; General Jackson said that he approved highly of the samples, and was willing to make the change upon the representations made by the Messrs. Brooks as to the quality of the articles, and asked me whether I thought he was justified in taking the responsibility in consideration of the peculiar circumstances, namely, the great scarcity of goods suitable for military purposes, the danger of losing the only suitable goods in the market, and the pressing necessity for uni

forming troops without delay. I told him that I thought the circumstances would justify him, but it would be as well to defer the execution of the contract until the evening in the hope of hearing from Albany. This was done, the owners of the goods being informed by the Messrs. Brooks, as I understood, that they would without doubt be accepted. In the meantime a telegram was received from Albany ordering that nothing further should be done about the contracts, and stating that Mr. Dorsheimer would come down by the train;* he arrived at 10½ P. M. At that hour General Jackson, Messrs. Brooks and myself met Mr. Dorsheimer at the Astor House, and the samples were submitted to him for examination, and the same statements as to the excellence of the fabrics were made to him by Messrs. Brooks as had been previously made to us. Mr. Dorsheimer took time to consider, and left the Astor House in order to make inquiries as to the stock of goods suitable for military purposes in the city. When he returned he instructed me to draw a contract with the Messrs. Brooks, to be signed by him on the part of the state, and to be particular to have the samples carefully designated, so that there should be no mistake. I drew the contract and duplicate, and attached the samples, and the next day the contract was duly executed. I have seen the gray cloth of which the uniforms of Cols. Quimby and Walrath's regiments are made, during my recent visit, upon official business, to the city of Washington. The cloth of which these uniforms are made is rotten, and may easily be torn with the fingers. It is not like the sample cloth, which is strong and cannot be so torn. The shade of color, also, is different, having a rusty and faded appearance; I have conversed with army officers and other gentlemen of experience at Washington, and have learned from them that cloths do become rotten from age, and from being kept in improper places; that this is frequently the case with the cloth used in the army, and that the utmost care is necessary, on the part of inspecting officers, as the appearance of the defective article is very nearly the same as that of the good article, the difference in appearance consisting in a rusty and faded look about the color which might not be detected by any except a practised eye, and that a good inspector would detect it at a glance, and throw out such goods at once.

(Signed.) WM. HENRY ANTHON.

Taken, subscribed, and sworn before me, this 19th June, 1861,

(Signed) R. CAMPBELL, *Chairman.*

ELISHA BROOKS, of New York, one of the firm of Brooks Brothers, of said city, a witness, called and sworn, testified as follows, viz.:

The firm of Brooks Brothers, No. 468 Broadway, is composed of the following persons, namely, Daniel H. Brooks, John Brooks, Edward L. Brooks, and myself. Our firm made proposals to the State Military Board of state officers for manufacturing 12,000 uniforms for the volunteer militia of the state.

Question—Was any other person directly or indirectly interested in such proposal?

Answer—No; not to my knowledge.

Question—Who was your agent to make such proposals?

Answer—Mr. Robert Freeman; he went to Albany for that purpose.

Question—By your proposals were the uniforms to be made of army cloth, such as is used in the United States army?

Answer—When the proposals were given, I think they were; our proposals were accepted to make such uniforms at $19.50 a suit.

Question—Who first proposed a change of the material out of which such uniforms were to be manufactured?

Answer—I do not know.

Question—Was any person or persons employed by you or your firm, to your knowledge, information or belief, to procure a change of the material out of which such uniforms were to be manufactured?

Answer—No.

Question—Have you or your firm, to your knowledge, information or belief, paid or agreed to pay any person or persons any sum of money, or other valuable consideration, upon condition that you were allowed to make up such uniforms out of other cloth than army cloth?

Answer—No.

Question—Have your firm paid or agreed to pay, to your knowledge, information or belief, any money or percentage upon the amount of such contract, to any person or persons, for any services rendered by any person, in procuring said contract, or in procuring a change in said contract?

Answer—No.

Question—Have you, or your firm, paid or given any money or other valuable thing to any state officer or agent, for any service rendered you or your firm in relation to such contract?

Answer—No, not to my knowledge; and I have never heard of any money being paid or promised, or any gift being made for such purpose. * * * * * * * *

ELISHA BROOKS.

Subscribed and sworn before me, the 12th June, 1861,

ROBERT CAMPBELL, *Chairman.*

* The telegrams referred to are (page 170 of the Report of the Military Board) as follows:

NEW YORK, April 25, 1861.

"GOV. E. D. MORGAN: Can I change the colors of the uniforms? I can't get the cloth of the colors required. Gen. S. Yates and Arthur advise the change. Answer at once, or I shall lose the chance of getting the cloth. Send answer to general telegraph office.

WM. A. JACKSON.

ALBANY, April 25, 1861—4.45, A. M.

WM. A. JACKSON, General Telegraph Office, New York: Treasurer Dorsheimer leaves for New York at 5. Wait till he arrives. He goes as a committee of the Board.

"E. D. MORGAN."

JOHN BROOKS, one of the firm of the Brooks Brothers, being duly sworn, testified as follows, viz.: * * * * * * * *

Question—Have you or your firm, or any member of it, or any other person in your behalf, paid, or agreed to pay, or give any money, or other valuable thing, to procure such contract, or a change of such contract, from the terms of your proposal?

Answer—Not to my knowledge.

Question—Have you heard of any money or other thing being paid or given for such purpose?

Answer—No.

EDWARD S. BROOKS, being duly sworn, testified as follows, viz.: * * * * *

Question—Have your said firm, or any member of it, or any person or persons in behalf of your said firm, paid, or agreed to pay, or give any money or other valuable thing to procure said contract, or a change of such contract by substituting other than army cloth for the 12,000 uniforms contracted to be furnished by said firm?

Answer—No, not to my knowledge.

DANIEL H. BROOKS, of the city of New York, being duly sworn, testified as follows: * *

Question—Has your firm, or any member of it, or any person or persons in behalf of your firm, paid, or agreed to pay or give, any money or other valuable thing to procure said contract, or a change of said contract, by substituting other cloth than that referred to in the proposal made by said firm at the time of receiving proposal for said uniform?

Answer—No, not to my knowledge or belief.

Question—Did you, or any agent or member of the firm of Brooks Brothers, solicit any person or persons to aid you in procuring a change of such contract?

Answer—No, not to my knowledge.

The feeling excited in Albany by the attack upon Col. Jackson in the majority report, appears in the comments thereon in the newspapers of that city.

Says the *Atlas and Argus* (Democratic):

"We had intended to have protested against the insinuations which the investigating committee made in their report against the late Col. Jackson. No one in Albany, reading the evidence and knowing the parties, would attach any importance to the charge. But Jackson's death is still fresh in the memory of his fellow citizens, and the labored and forced insinuations against him, are particularly repulsive to the tastes and instincts and sense of justice of this community."

Says the *Albany Evening Journal* (Republican):

"The labored effort of the 'shoddy' investigators to blacken the fair fame of the lamented Jackson, has excited a feeling of universal disgust and loathing in the minds of all who knew that noble-minded, high-souled and generous gentleman and soldier. This loathing is augmented by the fact that the committee accepted the nods and winks and slang of a professional and proven 'black mail' witness as conclusive evidence of official *malfaisance!*

"The charge *insinuated*, and which was made the basis of a whole column of vile imputations, was, that Col. Jackson, soon after the Brookses were awarded the clothing contract, was measured for a suit of military clothes by the agent of that firm.

"The only comment required to expose the infamy of this libel upon the dead, is the fact that the bill for this suit of clothes was sent on to Col. Jackson after he reached the field, and was, with other effects, brought home with the corpse, and is now in the hands of the executors.

"The rebels dug up the flesh and bones of the gallant loyal dead at Bull Run. Who supposed the same fiendish spirit would find development here?"

The same journal thus concludes an article on Judge Wheeler's report:

"It is not our purpose to allude to the report in detail. We cannot avoid, however, even at the risk of reviving a most painful subject, to call attention to that portion relating to the lamented Jackson, whose claim to the affectionate and tender remembrance of friends, and to the grateful appreciation of a loyal people, are fully and acceptably vindicated. Henceforth let no malicious and ribald slanderer invade the sacred precincts of his tomb, and, with mock forbearance, assail the living reputation of the honored dead. Col. Jackson's fame is safe in the future, finding, as in the past, an affectionate and secure resting place in friendship and in public gratitude."

SUPPLEMENTARY

Personally appeared before me, Mark Wolff, and being duly sworn, deposed as follows:

On April 20th, 1861, I enlisted in the 18th Regiment, N. Y. Volunteers, Wm. A. Jackson, Colonel, in Company I, Capt. Radcliff. On July 7th, I became the personal attendant of Col. Jackson, and continued such till his death in November of the same year. During that time I had sole charge of his wardrobe, and testify that all the articles of military dress then in his possession are comprehended in the bill of Brooks Brothers, rendered to Prof. Jackson "about the 10th day of Feb., 1852," with the exception of one coat, worn by him in his former position of Inspector General of the State of New York, and altered by moving buttons, etc., to adapt it to his rank of Colonel, apparent on inspection, and noticed by me while cleaning the same.

(Signed) MARK WOLFF.

Subscribed and sworn to before me, this fifth day of September, A. D. 1862, at Schenectady, N. Y.

GEORGE GILBERT, *Commissioner of Deeds.*

City and County of Albany, ss:

WILLIAM H. YOUNG, of said city and county, being duly sworn, says:

That for a period of about fifteen months he was connected with the 18th Reg't N. Y. Volunteers, first as its Lieut.-Colonel, and after the death of Col. Jackson, as its Colonel. That while so connected, he became personally and intimately acquainted with Mark Wolff, who was a private in Company I, of said Regiment, and afterwards became the personal attendant of Col. Jackson, and still later, attended this deponent as a nurse during a protracted period of sickness. Deponent further says, that the said Wolff is now engaged in the Hospital Department of the 3rd Reg't N. Y. Vol's, and is a young man of more than ordinary intelligence, of the strictest truth and integrity, and that any statement he may make or verify is entitled to the fullest credit.

(Signed) WM. H. YOUNG.

Sworn before me, this 12th day of December, 1862.

R. A. WIGHT, *Com. of Deeds.*

MEMOIR

OF

RICHARD MARVIN STRONG,

A

MEMBER OF THE ALBANY BAR,

AND

Adjutant of the 177th Regiment, N. Y. Volunteers,

WHO

DIED AT BONNET CARRÉ, LA.,

MAY 12, 1863.

PUBLISHED IN PURSUANCE OF A RESOLUTION OF THE BAR
OF THE CITY OF ALBANY.

ALBANY:
J. MUNSELL, 78 STATE STREET.
1863.

MEMOIR.

It is due to community, to perpetuate the memory of those who well perform their part, as an example to others after them. The life of Adjutant Strong presents a rare example of excellence and usefulness.

Richard Marvin Strong was the second son of Anthony M. and Sarah M. Strong. He was born in the city of Albany, June the 10th, 1835, and died in the military service of the United States, at Bonnet Carré, La., May the 12th, 1863.

He received the elements of his education at the Albany Academy, which he entered at an early age, while it was yet under the supervision of the late Dr. T. Romeyn Beck, and remaining there during the succeeding administration of Dr. William H. Campbell, and for a short time under Prof. G. H. Cook.

When in 1851, Dr. Campbell resigned his charge in Albany, young Strong had nearly fitted for college, and had made most valuable progress in his academic course. Few connected with the Academy at that time will fail

to remember the class of young men, well advanced in study — the senior class of the school — which the Doctor had gathered around him under his especial care, and particularly instructed by him in the classics and belles lettres. Undoubtedly the instruction thus received by those young men, who daily went before their principal with unfeigned alacrity, and with the esteem and affection of children towards a father, exerted an important influence upon their moral, as well as their intellectual characters. Certain it is that there is not an instance in which the subsequent life of any member of the class has put to the blush its moral training. Its majority are still reaping the earthly benefit of its admirable discipline, and delight to recall its pleasant associations. As a member of that class, young Strong's standing was second to none. The impressions he then received, and the habits then formed, partially furnish the explanation of his remarkably pure and upright life, and of the accuracy, industry and thoroughness which distinguished him in all his relations.

In 1851, he received from the Academy for his proficiency in mathematics, the Caldwell gold medal, and at the same time his friend and companion, Charles Boyd, received the Van Rensselaer classical medal. These rewards of scholarship, were presented by the principal (Dr. Campbell) at the anniversary exhibition with evident pride and satisfaction. "These young gentlemen," said

he as they stood before him on the stage, "have never given me a moment's uneasiness throughout all their academic course." They both entered the junior class, at the college of New Jersey at Princeton in 1852, and as they had graduated from the preparatory school with the highest honors, so they took at once the rank of the first scholars in their class. They became members of the same literary society, were room-mates together, and in 1854 graduated together; the one pronouncing the valedictory, the other the mathematical oration, the first and third honors of a large and intelligent class. Charles Boyd had early become a professor of religion, and devoted himself to the study of theology; his assiduity in study, and his constant attendance upon self-imposed labors of a charitable and educational nature exhausted a physical constitution not naturally strong, and he died at the early age of twenty-one years, not having completed his course at the seminary.

As a student Mr. Strong endeared himself to his classmates by his companionable and social qualities, as well as won their admiration by his ability as a scholar. Prof. Stephen Alexander of Princeton College says of him in a recent letter:

"He greatly distinguished himself by his attainments in scholarship while a member of this institution. The college records exhibit his final standing (at his graduation) to have been third in his large class, and within the

veriest fraction of the second position. Those who knew his previous history as an academy boy, will not be surprised to learn that the honorary oration assigned to him was the *mathematical*. Of his unexceptionable conduct and his kind and genial manners, I have still a lively recollection."

During his senior vacation he was invited by Prof. Alexander, who was acting in connection with a large committee of the American Association for the Advancement of Science, to accompany him to Ogdensburgh as an assistant in an observation of the annular eclipse of the sun in May, 1854, and accompanied him together with Mr. William J. Gibson to assist in those important observations. Prof. Alexander in his report says:

"I was assisted in my observations by two of my former pupils in the College of New Jersey, Messrs. William J. Gibson and Richard M. Strong, both of Albany, N. Y. Their presence with me, was not only a matter of sincere personal gratification, but was important also, as we were together enabled to note some phenomena which might otherwise have escaped me, and they by their aid contributed not a little to the accurate observation of those which I might have noted if alone."

A single incident of the college life of Adjt. Strong will serve to illustrate the force and fearlessness of his character even at that early age. He had been one of the founders of the Kappa Alpha, secret society in the college,

and besides having a strong attachment for the society itself, and for its individual members — an attachment which lasted throughout his life — he had been an applicant to existing chapters in other colleges for authority to establish a branch at Princeton, and he felt in a measure responsible for its success and prosperity. The faculty had concluded to suppress the secret societies, and among others, Richard Strong was summoned before the President to sign a pledge not to attend the meetings of any such society, and to dissolve his connection therewith, so long as he remained a member of the institution. He replied substantially to the demand, that his obligations to his society were contracted when there was nothing in the college rules preventing him from assuming them. That the standing and reputation of its members were ample proof of its harmlessness. He begged the President not to insist upon that which he should be obliged to refuse, and declared that greatly as he deprecated the consequences, he should prefer rather to suffer them than commit himself to such a pledge. A further interview was appointed with him at an unspecified future time, and the fact that he was not afterwards called upon to sever his connection with the society, or to sign the pledge proposed shows the appreciation in which the worthy President of the college held the character of the young man who preferred rather to suffer detriment to himself than prove false to a trust confided to his care.

Though he had few superiors as a classical scholar, Mr. Strong was naturally inclined to the study of mathematics, and the natural sciences, and his early preferences were towards those pursuits as a profession. At one time he had determined to become a civil engineer, but though his constitution could not be called feeble, he was led to abandon this choice from a belief that it was not sufficiently robust, to endure the hardships and exposures sometimes attendant upon that mode of life. His next choice was the law, and soon after leaving college he entered the office of Reynolds, Cochrane & Reynolds in Albany, and became at the same time a student of the law department of the Albany University. He brought to the study a mind naturally excellent, improved by careful training. He pursued his studies with diligence, and the results were satisfactory to himself and to his instructors, giving promise of usefulness and distinction in after life. His studies were interrupted for several months which he passed in visiting Europe, traveling in Great Britain and on the continent, and resumed again on his return, till in 1856 he was admitted to the Bar. His connection through relatives with important mercantile interests in Albany, threw him at once into practice, and his zeal and ability soon gained for him an extensive business. About a year after his admission to the Bar, he formed a partnership with Frederick Townsend, now major of the 18th U. S. Infantry, and William A. Jackson, afterwards colonel of the 18th regiment N. Y.

volunteers, now deceased, and upon the dissolution of the firm by the withdrawal of those gentlemen to positions in the service of the government, he became associated with Mr. George L. Stedman, with whom he was connected in business at the time of his decease. The firm of Stedman & Strong having succeeded to the extensive business of the firm of Shepard & Bancroft—Mr. Strong was enjoying the emoluments of a handsome practice when he gave his services to his country. His ability as a lawyer was marked and decided. He was accurate in his conclusions, and rapid in reaching them. He analyzed facts with thoroughness, and arranged them with method. His counsel in his office was clear and reliable. It was always the deliberate conviction of his judgment after careful investigations of the facts, and it was often sought and followed in preference to that of others of longer standing in the profession. He presented an argument to the court with terseness and with completeness and ingenuity which always commanded attention. With the members of the Albany Bar he was a general favorite, as he was among all who knew him. Fond of social enjoyments, cultivated and interesting in conversation, he was welcome everywhere, and often gave himself to the social gatherings of the city. As a companion and friend he was true and unselfish. He was cordial with all, but where his affections were enlisted, he was warm and enthusiastic. In countenance he was genial and joyous, but there was an earnestness in

his expression as in his manner which was the index of his character.

Mr. Strong's professional career was varied by attention to other interests of a more public character. He possessed an activity of mind, and a readiness of perception and execution which enabled him to attend faithfully and successfully to numerous diverse matters without interfering with his professional duties. His industry was remarkable. He wasted no time, and it was surprising to see one so young, so zealous and so constantly employed. In the truest sense of the term he was public-spirited, not from ostentation, but from love of well doing and natural energy of disposition. He was connected with many important enterprises in his native city, and the assurance that he was actively engaged in any project was almost a guaranty of its success.

Not long after the commencement of his professional life, he became a member of the First Presbyterian Church of Albany, Rev. Dr. John N. Campbell's. He was a faithful, earnest and exemplary Christian, ever mindful of the obligations of his religious profession, and living the life of one whose actions were prompted and guided by the purest faith. When the project of erecting a new Presbyterian church on State street, in Albany, was canvassed among the members of his denomination, he entered warmly into it and became a leading spirit in its accomplishment. In November, 1850, he became one of a com-

mittee of fifteen appointed from the different Presbyterian Churches of the city to carry forward the enterprise, and afterwards secretary of the committee. Under his legal counsel and conduct the church was incorporated, the land was purchased, the edifice erected and the pulpit supplied. In each step he not only performed his part as a lawyer but as an enthusiastic lover of the work, and with a refined taste and excellent judgment gave valuable advice in the manner and economy of construction, and rendered efficient services in the accumulation and management of the funds. He was made a trustee of the church and remained so at the time of his death. He entered the Sunday school, taking charge of an important class of advanced scholars, composed of two classes which he had previously instructed, every Sunday, and which showed its confidence in its instructor by volunteering unanimously in his regiment and going with him to the war. The committee to whose management this church enterprise was given, threw the legal responsibility of the proceedings entirely upon his shoulders. With characteristic energy he entered into the law of the subject and in a few weeks had at his command not only the statute law applicable, but its sources and history. It was afterwards suggested to him that a volume on the subject would have both a historic and practical interest, and he was urged to undertake its compilation and is supposed to have had it in contemplation.

The rebellion of 1861 made hurried calls upon the time

and services of the efficient young men of the North. The Albany Barracks were placed under the command of Brigadier General John F. Rathbone. Mr. Strong was then his aid-de-camp, and took an important part in organizing the regiments formed there. These barracks were the rendezvous of thousands of volunteer recruits, who came without discipline, without organization and utterly unaccustomed to the rigor and restraints of camp life. There were frequently at one time from four to five thousand, and the position of aid was no sinecure. Mr. Strong was not unequal to the task; he had had military experience as a member of the Albany Burgesses Corps and the Albany Zouave Cadets, and in those model organizations had become proficient in the drill of the company;—he soon acquired the experience of a general officer. When Gen. Rathbone was relieved of his command, Mr. Strong received the appointment of Judge Advocate of the 9th Brigade N. Y. National Guards. His duties at the barracks ceased with the departure of the troops for the field, and the general government having, as it was supposed, sufficient for its purposes, he returned to the practice of his profession — impressed, however, as he stated, with a sense of obligation to the country, and a determination to give his services, should the occasion seem to make a demand upon them. On the organization of the 177th Regiment N. Y. Volunteers, formerly the 10th Regiment National Guards of the State, he accepted

the laborious position of Adjutant, and turned his attention, with his accustomed energy, to placing it on a war footing. On the eve of departure, he addressed the regiment, publicly congratulating the officers and men upon their unwearied and at length successful efforts to organize for the war. They left Albany in December, 1862, with the "Banks expedition," landed at New Orleans, and were thence sent to Bonnet Carré, La., an important post on the Mississippi River, being one of the main defences of New Orleans. Large numbers of the unacclimated men of the 177th were soon prostrated with diseases peculiar to the country and to camp life; and Adjutant Strong, besides the acknowledged friend of the individual members, became an unwearied attendant upon the wants of the sick. His assistance was freely bestowed on all sides, regardless of danger from infection and the strain upon his strength. With a rare skill and a joyous and genial manner peculiar to him, he watched with and assisted in the care of the sick, and administered the consolations of that religion he had himself experienced to the dying. His labors in this respect, while attending punctiliously to the duties of his position, rendered him liable through loss of strength to take the fever to which he has fallen a victim. In a letter from Bonnet Carré, written on the day after his death, full of tenderness and affection, addressed to the father of Adjutant Strong, Dr. O. H. Young, assistant surgeon of the regiment, says: "The tenderness

of his heart and his unresting desire for usefulness prompted him to visit the hospital often, in the hope of adding to the welfare of the sick soldier, and many will remember the kind solicitude which made him their constant visitor, and the cheerful words which infused new hope into their drooping spirits. Indeed, the frequency with which Richard made these visits has more than once attracted our attention, and creating some solicitude for his health has made it incumbent on us as medical officers to advise him not to spend too much time among the dead and dying. * * * * * * * On Sunday, April 26, he and I sat together on a bench in front of my tent, listening to divine service. * * * * * Directly after these exercises he complained of headache, and asked me for professional advice, which was given, on condition that he immediately abandoned all official duties, which rendered exposure to the sun's heat necessary."

This headache spoken of by Dr. Young was the approach of the fever, which soon assumed a typhoid form, and terminated his life. In speaking of his last sickness, Dr. Young informed his parents that it was not attended with physical pain. During his last moments his physical prostration was too great to permit his articulating, but his response to the question whether he desired to be remembered to his father and family at home, was audible and intelligent. He answered, said Dr. Young, distinctly

"Yes," and a few moments after with his brother's name upon his lips expired. His remains were encased in a metallic coffin, and deposited in Greenwood Cemetery at New Orleans, to await their conveyance to Albany.

Thus has another valuable life surrendered itself a voluntary offering to the institutions of our country, freely given in the morning of usefulness, with bright promises for the future unfulfilled. The misgivings as to his physical endurance, which in earlier years had swerved him from the pursuits of the studies which he loved, had no power to influence his action when he felt his services were valuable to the country, but he freely gave himself to the risks of the field of battle, and the exposures of camp life, and in doing so, none who knew him will say, he was otherwise actuated, than by a sense of duty, and a desire to be of service to his country, in whose institutions he had an unshaken faith. To that faith he has borne testimony with the seal of his life — a life full of the brightest promise — endeared to him by the tenderest family affections; throughout all which, with all the opportunities and successes which attended him, there is not one moment over which his friends would desire to draw a veil. The memory of his chaste and noble nature, like the lingering rays of the setting sun, remains to soften the gloom his death has caused, and is the assurance of a triumphant future. Sweetly he sleeps the sleep of death among those,

"Qui fuerunt, sed nunc ad astra."

Proceedings of the Albany Bar.

At a meeting of the Albany Bar, convened in the Mayor's Court Room, in the City Hall of Albany, to take action regarding the death of Adjutant Richard M. Strong, on motion of Mr. C. M. Jenkins, Mr. J. I. Werner was called to the chair. On motion of Mr. J. B. Sturtevant, Mr. William Lansing was appointed secretary.

On motion, the chair appointed the following committee on resolutions: Messrs. William A. Young, John C. McClure, Hamilton Harris, J. Howard King, and George Wolford.

Hon. John H. Reynolds then addressed the meeting as follows:

One by one, and in rapid succession, those who for a time travel with us on the highway of life, drop down and are seen no more. At short intervals of time, some, that we have known and who have in some sort been our associates disappear, and we know them no longer. At a little greater interval, those with whom we have been more intimate, fall by the way side, and then we pause a

moment and perhaps shed a few tears, and pass on, intent only upon reaching the end of our own travels and a season of repose which never comes. We find but little time to linger beside those who falter, and less, to stand around the graves of the fallen. As we move onward, at intervals which seem to grow less and less in duration, we are compelled to pause, from time to time, for the reason that our most intimate associates can no longer keep us company, but leave us to continue our progress as best we may. It is then that we tarry a little longer, and feel it a duty to give some expression to our regret and regard. We have met to day, to peform this duty, in respect to one of our professional brethren who, under circumstances of painful interest, has, in the very morning of life, left us forever. It is not long since, that under like circumstances, we were assembled to pay the last tribute of respect to the memory of another of our brethren, who in obedience to the call of his country, left home and friends, and wore out his life, in defence of the flag, which an army of traitors seek to trample in the dust. And now, after a little while, we meet again, to pay a like tribute of regard to one of gentle nature and of high promise, who more recently gave up the pursuits of an honorable profession, and severed the tenderest ties that bind our common humanity, to brave all the privations and dangers that attend the patriotic citizen and soldier, who takes up arms in defence of the insulted flag of his country. It is

fitting that this mournful event should not pass unnoticed by those who were bound to him in the ties of professional brotherhood, who knew him intimately, and loved him well in life, and whose early death falls with crushing weight upon so many hearts.

At the early age of twenty-eight, Richard M. Strong died, far away from home and kindred. We knew but little of his days of sickness and suffering, or of the last hours of his life, save that an unrelenting disease, in an ungenial clime, wasted him away; and in his last moments, his thoughts were turned to loved ones at home, and his lips faintly murmured a brother's name; and with this last effort of affection, his spirit passed to "God who gave it."

The story of his life is brief and simple. It is not marked by uncommon incidents, which will attract the attention of the great world. He did not live long enough to achieve the high honors of the profession to which his life was to have been devoted, and which his talents, his industry, his manly and modest deportment, his spotless character, his love of truth and justice, entitled those who knew him best to predict for his career. So much of professional life as he was permitted to pursue, gave assurance that all which would have followed, could not have

"Unbeseemed the promise of his spring."

He began the study of the law in an office with which

I was connected; and I shall always remember him with affection as a devoted, industrious, intelligent and faithful student; full of hope, and earnest in the pursuit of all that learning which marks the progress of a true lawyer, and gives dignity to a noble profession. He brought to that pursuit a mind capable of reaching a high rank among men, who never fail to appreciate learning, to reverence intellect, and to love and cherish all the higher qualities which adorn human nature. His early training, where his superiority had always been acknowledged, fitted him to commence his professional career under circumstances more favorable to success than is common to most who enter upon a pursuit where real merit is seldom unrewarded, and where few ever attain a permanent position without severe labor and solid acquirement. His practice at the bar, although not of long duration or extensive in its character, illustrated the qualities of mind and heart which commanded the respect and regard of all his brethren, and which, step by step, would have led him to high honors.

In early life he was frail and delicate, and he was nurtured with tenderest affection. At school he was patient, and diligent; and not only won the regard of his associates, but attained a position of acknowledged merit; and when his schoolboy and college days were over, he left behind him the marks of a superior mind, and the remem-

brance of an exemplary character. To this, all his early friends bear willing testimony. He sought our profession as best adapted to his tastes and talents, and entered upon it with all the enthusiasm of youth, and with all the hope and confidence which youth and conscious talents inspires. Surrounded by every comfort which wealth and affection can give, stimulated by every motive of honorable ambition, he saw the future bright before him, and, with just reliance upon himself, looked forward to a useful and an honorable career in the profession of his choice. But an imperiled country called him to other duties. He was among the first, when the sound of conflict reached us, to lay down the profession of the law, and assume the profession of arms; and he has followed it with fidelity to the same end to which we are all hastening. With the brave men who have gone to the field of strife he sought danger as a duty; and, if opportunity had presented, he would have proved himself as brave in battle as he was patient and submissive when disease wasted his life away. He was a Christian gentleman and a Christian soldier. He followed, with unfaltering trust, the path of duty to his God, to his country, to his kindred and his friends. He leaves no enemy behind him. All who knew him loved him; for his nature was gentle and genial. He was firm in honest purposes, quick to discern and defend the right, and incapable of wrong. When such men die,

early or late in life, there is a melancholy pleasure in bearing testimony to what they were; and to do so is a sacred duty to the living and the dead.

The circumstances under which our deceased brother closed his brief but honorable career, are peculiarly painful and impressive, although death now meets us in so many startling forms that we scarcely notice it until it comes very near. The stories of blood and battle, of suffering and death, are daily brought to our view, and yet scarcely arrest our attention. We look with interest to scenes of conflict and carnage, where brave men struggle and die amid the roar of cannon and the shouts of victory, but scarcely remember the unhappy patriots who, in a distant clime, struggle with relentless disease, and who, upon beds of suffering, turn once more to their early homes and kindred in all the agony of loneliness and desolation. They are far beyond all those consolations which attend the dying when surrounded by the endearments of home. Death is always a merciless visitor; but to one suffering amid strangers, in a strange land, becomes robed in his most ghastly form — terrible to the victim, and agonizing to those who are nearest and dearest to him. We can not turn aside the veil that hides the grief of the afflicted household in which our lamented brother grew up to manhood. The father's, the mother's, the brother's and the sister's agony is all their own. We may sympathize, but can not alleviate. We may speak a word of kind-

ness, and drop a tear of sympathy, but we only add our sorrow to theirs. God grant that this household, and the many others that have, in these unhappy days, suffered a like bereavement, may find consolation from the only source that can give lasting comfort to the afflicted.

And let us who here grieve over the early dead, be ever mindful of the admonitions which these mournful occasions give us. Death meets us in all forms, in all conditions of age and station, and on all occasions.

> "Leaves have their time to fall,
> And flowers to wither in the north wind's breath,
> And stars to set; but *all*—
> Thou hast *all* seasons for thine own, oh Death!"

Hon. Lyman Trémain spoke as follows:

I am well aware, Mr. Chairman, how feeble and inadequate our language is to give expression to the emotions of warm sympathy, and profound grief, which pervade the hearts of all those who had the honor to be ranked among the friends of Richard M. Strong. Knowing him well, as I did in life, I should have been lamentably deficient in sagacity and discrimination, if I had failed to discover, and to appreciate, his intrinsic merits and exalted worth. And now that he is dead; now that he has fallen in the service of his country, I should prove false to the promptings of my heart, if I remained silent on this mournful occasion.

It is natural and proper at such a time, to speak in

terms of praise of the departed. Sometimes, we know, the language employed is exaggerated or undeserved. On the present occasion, however, I speak the sentiments of all who knew our lamented professional brother, when I say, that no eulogium upon his probity, his truthfulness, his generosity, and in short, upon all those noble and manly traits of character that endear a man to his family and his friends, can be pronounced, which shall seem fulsome or overdrawn.

Mr. Strong belonged in the company of my junior professional brethren. Although I never had the pleasure of what may be called an *intimate* personal acquaintance with him, yet I knew him very well, and upon my first acquaintance with him, his bearing and deportment attracted my attention. While it was no part of his ambition to win applause by the brilliancy of his efforts, yet he always appeared to good advantage. He was entitled to, and he received, the universal respect of the Court and of his brethren at the Bar. Amiable in the highest degree, I do not believe that he had an enemy on earth. If we had been required to select by ballot, that young lawyer in the city of Albany, who combined more than any other, the virtues that make up the character of the cultivated Christian gentleman, I think I hazard little in saying that the choice would have fallen, with great unanimity, upon Richard M. Strong.

Our deceased brother was full of good humor and kind

feeling. He had a keen relish for the society of his friends, and for the social attractions by which he was surrounded. But with all this, he retained the artless simplicity of a child. His was one of those rare characters which, instead of losing the freshness of youth, or becoming contaminated as years roll on, would continue, if possible, to grow brighter, purer and nobler, with the progress of time.

The closing chapters in his young life were entirely consonant with his previous history, and precisely what we had a right to expect. What a glorious exhibition of exalted and self-denying patriotism is furnished by his conduct!

How bright is his example! Look at his career for a moment.

He had graduated at Princeton College with as complete an education as his country could furnish. He had gone through with his preparatory studies, and been admitted to the Bar. He had commenced the practice of the law under most auspicious circumstances. He was surrounded by troops of warm and devoted friends. He was the idol of a wealthy and generous father, who was ready and willing to afford him all the aid which can be derived from influence and wealth.

But he felt constrained by a stern sense of duty to abandon all these precious privileges, and to respond to the call of his country. He could not remain at home,

while his country was appealing to her sons to come to the rescue. He saw his beloved country struggling with a band of robbers for its life, and like a true and faithful son, he said I am in duty bound to assist in this contest.

With a constitution that had never been hardened by exposure and toil, he did not shrink from encountering the perils of a southern climate and the dangers of the field. Volunteering with the 10th regiment, he became its adjutant, accompanied it to Louisiana, and fell, a victim to southern fever, and the exposures of camp life.

Jackson and Strong were but yesterday a promising firm of young lawyers in our city. Both were talented, cultivated and promising young men. Both have offered up their lives upon the altar of their country.

The death of Richard M. Strong is a severe loss. It is a great loss to his family, a loss to his friends, a loss to the public, and a special loss to our profession. We can illy afford to lose so bright an ornament from our number. His place can not be supplied.

But we can, and we will, honor and cherish his memory in our inmost heart. His name will occupy one of the brightest pages in the history of these noble martyrs who have fallen in the war. We will remember him as one who was willing to devote his time, his talents, his professional prospects, and his life to the service of his country.

Let it be ours to vindicate his name and fame, respect

and honor his memory, imitate his virtue, and if need be follow his example.

Mr. Rufus W. Peckham, Jr., said:

Mr. Chairman:

A noble heart has ceased to beat. Called by a summons which we shall all obey, Richard M. Strong has departed from the company of living men. I desire upon this sad occasion to pay the heartfelt tribute of a friend to the memory of him whose early death we this day mourn. Growing up with the deceased in terms of intimate friendship, I take a melancholy pleasure in bearing testimony to his many virtues. I knew him well, and his warm heart, his generous disposition, his noble character won from me, as from all who knew him, unqualified admiration and respect. Upright in all his acts, straightforward and manly in his bearing, his word when given, might be implicitly relied upon. Genial and affable in social intercourse, he was the life of that home which is now made desolate by his death.

He graduated at Princeton College, where he left a name beloved and respected by all who knew him. After leaving college, he traveled for some time in Europe, enlarging and enriching his mind from the varied stores which the cities of the old world throw open to the intelligent traveler. Returning to this city, he, in 1854, commenced the study of the law in the office of Mr. Reynolds, and upon

his admission to the bar, entered upon the active practice of his profession.

During the comparatively short period of his business life among us, how much did he accomplish! By the purity of his life, his strict unbending integrity and the modest and uniform courtesy of his manners, he merited and received from the community where he resided, its unmingled respect and its unlimited confidence, and we who knew him well, recognized in him God's noblest work, an honest man.

Possessing a mind far above the average, aided by untiring energy and unremitting industry, there seemed nothing to obstruct him in the attainment of a high and honorable position in the ranks of his chosen profession. It seemed but natural to suppose that a bright and glorious noon would follow so promising a morning. But that noon was never reached. The angel of death called him, he obeyed the call, and he now "rests from his labors." In his death, the younger members of this bar have lost a cherished companion and a true friend, and his memory will be endeared to them by the recollection of pleasant hours passed in his company. Under these circumstances it seems appropriate to meet here and testify, by this last act of respect, how much we mourn his early decease. When the rebellion broke out he was engaged in practice with the late Col. William A. Jackson, and the firm of Jackson &

Strong has been dissolved by the death of both its members in the cause of our country.

When the government first called for troops, Gen. Rathbone was appointed to the command of the Albany depot, and Strong, being a member of his staff, was called upon to devote his whole time and energies to the work of organizing the special department given him in charge, and he soon succeeded in establishing order and regularity therein. During this period, in his intercourse with the numerous officers congregated here, he displayed the same courtesy of demeanor, the same aptitude for business which always characterized him, and many officers will hear with pain and regret of the decease of one whom in their short intercourse with him, they had learned to admire and respect.

When the Albany depot had sent forward to the field all the troops then asked for, Strong returned to his profession, ready at a moment's notice to obey any call his country might make. When the 10th regiment was accepted, believing his duty called him to the field, he sought for and obtained the post of Adjutant, and the officers of the regiment will fully bear me out when I say, that he devoted his whole energies to its proper and speedy equipment for active service. Untiring in his efforts to promote its strength and efficiency, ever mindful of the welfare and comfort of his men, never shirking a duty, quick and

ready to comprehend military matters, cool, collected and brave, he became the general favorite, and showed himself an accomplished and gallant officer.

With a growing practice, surrounded by a large circle of relations and warm personal friends, in the possession of almost every thing that renders life attractive and beautiful, he has sacrificed all for his country.

No man ever went forth with purer motives, with less of ambitious dreams animating his soul, than he who now lies dead, covered with the earth of a distant land. It was the genuine love of country which sent him to the contest. No boyish ebullition of enthusiasm governed him, no thirst for military glory prompted him, fancy held up to his imagination, no gorgeous and glorious scenes to conceal the stern realities, which with the calm judgment of a man he decided to brave. No! He went forth strong in the belief of the justice of the cause, firm in his determination to do all that should become a man, and with a single reliance and pure faith in an overruling Providence he calmly committed his life to its keeping.

Thus he went forth. We all remember how a few months ago, our streets echoed to the tread of armed men, and there he was among them. Death has been busy with them since. Although not as yet engaged in battle, the ranks of the 10th are thinned, and many of its members now sleep the sleep that knows no waking.

He of whom we speak, has testified his love for his

country, his respect and reverence for her institutions, by offering up his own young life, a willing sacrifice for their preservation. "Greater love hath no man than this."

He has added another name bright and stainless, to the long roll of patriot heroes and martyrs whose life blood has flowed for the cause of American unity, and his memory will live in the grateful hearts of affectionate friends.

He died not, as a soldier would prefer to die, on the field of battle, amid the smoke and flashes of artillery, the shouts of contending armies and the roar of musketry, listening as death steals over him for the glorious shouts of victory. No! it was in the camp, stretched upon a bed of sickness, with burning fever upon him, far away from the land of his birth, from all the comforts and affection of a home which he ornamented and brightened, surrounded by the stern realities of war, that his manly spirit passed away, and he fell asleep under the protecting shadow of that flag which he loved so well. Calmly and peacefully, amid such scenes he died,

> "Like one who wraps the
> Drapery of his couch around him,
> And lies down to pleasant dreams."

Early in life he received the sweet consolations of a strong religious faith. Religion covered him as with a mantle; it pervaded the entire man, ennobling and elevating his every action. Pure was he in his life; trustful, with an abiding faith, at his death; and, living and dying,

he exemplified and embodied all our conceptions of a Christian gentleman.

We admired his mental qualities, we loved his generous and warm heart; and we now do reverence to the spotless purity of his private character.

In the death of such a man, we do not feel as if we had altogether lost him. His example will live, shining brightly, as time in his onward march carries us far from the scenes of to-day; and now, while listening sadly to the decree — "Dust to dust, ashes to ashes, earth to earth," in the firm belief that his sleep will be calm, and his awakening glorious, we bow in humble submission before the throne of Him who doeth all things well.

Mr. Young, from the committee on resolutions, reported the following:

Another member of the Albany County Bar has died in the military service of the country. Richard Marvin Strong, a gentleman of much professional ability, of amiable manners and strict integrity, beloved by his companions in arms and by all who were associated with him in the pursuits of civil life, in the flower of his age, has gone from among us forever. His worth as a citizen and a lawyer, his valor and patriotism, have consecrated his name and his memory in the hearts of his brothers of the Bar. In view of this mournful dispensation,

Resolved, That while contemplating with admiration

and pride the example furnished by the deceased, of conscientious devotion to the Union and the supremacy of the laws, we deeply lament the too early death of one whose cultivated mind and pure character gave promise of so much usefulness and distinction. His intercourse with his brethren of the Bar was marked, at all times, by kindness and courtesy. Among his fellow-citizens, his daily life was eminent for that uprightness and manly bearing which are the outward manifestations of a heart imbued with the principles of justice and right. His literary attainments and scholarlike tastes were the graceful and fitting ornament of his virtues. Knowing the magnitude of the sacrifices at which he entered upon the career of arms, we venerate the heroism and constancy of one who was capable, when his country demanded his services, of exchanging the delights of a home, where he had ever been an object of the tenderest affection, the charms of study and the rewards of professional industry, for the hardships, the perils and the sufferings of the camp and the field.

Resolved, That we tender to the parents and friends of the deceased our heartfelt sympathies in the affliction which this melancholy event has brought upon them; and that we invoke in their behalf the consolations which enabled our departed brother to meet death with Christian fortitude and resignation.

Resolved, That these resolutions be published in the newspapers of the city, and that a copy, signed by the

officers of this meeting, be presented to the family of the deceased.

Hon. Deodatus Wright said:

Mr. Chairman:

Before the vote is taken on the resolutions which have just been read, I desire to express my hearty concurrence in all that has been said by the speakers who have preceded me, and to whom we have listened with the deepest interest, while they have uttered their feeling and eloquent tributes of esteem and respect for him whose early loss we have met to deplore, and whose manly and heroic qualities we have assembled to commemorate. The deceased was one of the younger members of the junior class of our Bar. It was therefore eminently fit and proper, that the younger and middle-aged members of our profession, should first give expression to the emotions and sentiments which the occasion could not fail to inspire. But Richard M. Strong possessed qualities of too marked and manly a character, not to arrest the attention and secure the respect of all his professional brethren, without regard to class or age. In the language of one of the gentlemen who has spoken, I too can say, that I was not intimately acquainted with the deceased, and yet I knew him sufficiently well to affirm, that I entertained for him a regard as high, and an esteem as sincere, as I entertained for any professional brother between whom and myself there existed so great

a disparity in years. And I can truly say, that no death which has occurred in the ranks of those who have gone forth from our own Bar, to serve their country in this trying hour, has produced in my mind, emotions of deeper sadness, or more profound regret. It is therefore very gratifying to me to see so large a number of his professional brethren assembled here to-day, to honor his memory.

But a few short months have elapsed since he was engaged in a professional career, surrounded by circumstances as flattering, and prospects as bright, as those which attended any young lawyer in this city. While thus engaged, he saw his country suddenly plunged from a state of peace and prosperity, into one of the most formidable and deadly civil conflicts the world has ever witnessed. He saw that our free, glorious institutions, hitherto the pride and boast of our own land, and the hope of the lovers of freedom throughout the world, were involved in the great issue. He fully appreciated the magnitude of the contest, and knew that strong arms, and loyal hearts, could alone avert the fearful calamities which threatened his country. With these he was liberally endowed, and these he dedicated to his country's service.

A career so bright, so full of promise in its commencement, so unselfish and patriotic in its progress, has been suddenly terminated by death. Although cut down in the very morning and flower of life, just as he had entered into early manhood, we can not mourn for him as for one

who has lived in vain. No man has lived a short life, who has faithfully and heroically performed all the duties which devolved on him while he lived. Measuring the years of our deceased brother by this standard, it will be found that his span of life exceeds that of many who have lived longer, and exhibited fewer evidences of exalted manhood. This war has made sad ravages among our professional brethren. This is the third time that we have been called upon to mourn the loss of a member of our own Bar. JACKSON, HILL, and STRONG, all young men, all in the flush of early manhood, all occupying high social positions, and all enjoying a full measure of public esteem, have offered up their lives upon their country's altar, for their country's salvation. Many, very many others in this city, from all occupations and all pursuits, have done likewise.

Albany may well feel proud of the patriotic and heroic band of martyrs who have yielded up their lives for their country. I doubt whether any other city in the loyal states, in proportion to its population, can present a longer or brighter catalogue of brave and heroic spirits who have perished in this conflict. This war has not only brought death into many a family in this city; every city, every village, town and hamlet throughout our land, has been sadly afflicted. Indeed but few dwellings have escaped the desolation and woe which the deaths, caused by this unnatural war, have brought to almost every household.

In view of these sad bereavements, these sore afflictions, the reflection has forced itself upon my mind since I entered this hall, how important, how imperative it is, for every man under the solemn responsibilities which he owes to his God, and to his fellow man, to be definitely, and clearly persuaded in his own mind, whether the conflict in which we are engaged is, or is not, on our part, holy and just. If it be not just, then we are bound by the most weighty and sacred obligations that can address themselves to a Christian and moral people, to use all legitimate means within our power to arrest its further progress, to put an end to this deadly, desolating strife. If, on the other hand, we agree with those who believe our quarrel just, and who, like him whom we have met to day to honor, have given their lives in testimony of the deep sincerity of their convictions, we are under obligations equally weighty, and equally solemn, to do all within our power to bring this unnatural contest to a speedy and triumphant close.

Gen. John Meredith Read Jr. said:

I should do great injustice to my feelings if I suffered this occasion to pass without paying my tribute to the memory of a man for whom I entertained the highest respect.

My acquaintance with Lieut. Strong was slight. But no one could meet him, even casually, without being impressed by his activity of mind, his integrity of purpose.

It was my good fortune, in an official capacity, to witness the zealous alacrity with which, at the commencement of the war, he entered upon his duties as a member of Gen. Rathbone's staff — and I hazard nothing in saying that his energy, his perseverance, his executive ability, were felt and acknowledged by all with whom he had official relations.

The reputation which he then acquired for thorough soldierly accomplishments, has never forsaken him.

It seems but a few short months since we were assembled here to pay our last offices of affection and respect, as a profession, to the friend and partner of our lamented brother. Little did we think, when we uttered words of sorrow for the departure of William A Jackson, that we should so soon be called to mourn the decease of Richard M. Strong. Little did we imagine that he, who was then in the full vigor of manhood, would be summoned at so early a day, to lay down his life as a sacrifice on the altar of his country.

Relinquishing the luxuries of home, the endearments of friends, our late associate went forth, in the flush of youth, with lofty purpose and Christian fortitude, to do battle in defence of our common country.

Like his comrade, he has fallen by the dread hand of disease, but with his face to the foe — and another martyr is added to the holy cause of liberty.

Mr. Orlando Meads said:

Mr. Chairman:

If I may be allowed the privilege, I would add a few words to those which have already been so well and fittingly spoken in regard to our deceased young friend. It so happened, that I saw a good deal of him at an early period of his life. During his school days at the Albany Academy, and subsequently during a part of his collegiate course at Princeton College, he was an intimate friend and companion of my own, now deceased, son; and in this way, and also in the course of my duties as a trustee of the Academy, I saw much of him, and came to know him well. No boy had in a higher degree the confidence and respect both of his teachers and his companions. He was intelligent, exact and conscientious in the performance of every duty, and most amiable, unselfish and faithful in his intercourse with his friends. In a class of boys, than which a better never passed through the Albany Academy —and that I know is saying much—he was one of the best scholars. He was an accurate and thorough classical scholar; but he especially distinguished himself in mathematics, for his proficiency in which he received the Caldwell medal, given always to the best mathematical scholar.

As he was at school, so was he also at college, where he maintained the same high character he had held at the Academy. The same fine qualities marked him still, as

indeed they continued to mark him through life; the same good sense, the same high principle, the same regularity and exactness in his habits, the same kind-heartedness, steadfastness and truth.

On leaving college, he entered upon the study of the law. He brought to it a sound, well balanced and well disciplined mind, liberal attainments, good habits, and high moral qualities. With these, he could not well fail to succeed; and we can all bear witness, that no young man among us had in a higher degree the esteem and confidence both of his professional brethren and of the community in which he lived.

But the same conscientious sense of duty which had marked him from his boyhood, led him to yield himself to the call of his country in this its time of need and peril. The fact that his friend and late partner, Col. Wm. A. Jackson, had recently fallen a victim to his labors and exposures in the camp and in the field, so far from deterring him from giving himself to the same cause, seemed to him but an additional reason why he should do so. With everything to make home attractive, he did not hesitate to give himself to duties which he regarded as paramount and imperative. How well and faithfully he fulfilled his arduous duties as the adjutant of his regiment, both here and at its southern post of duty, we all know. In this honorable and devoted course of service, far from his home and friends, he, too, has yielded up his life. But it is for

ourselves and not for him that we should mourn. His life, from the outset, has been an unbroken round of duties well performed. It may seem short, but not incomplete; for, in the words of the Book of Wisdom, "He being made perfect in a short time, fulfilled a long time." "For honorable age — says the same book — is not that which standeth in length of time, nor that is measured by the number of years; but wisdom is the gray hair unto men, and an unspotted life is old age!"

The resolutions were thereupon adopted.

On motion, the following committee was appointed by the Chair to prepare and publish a memorial of the deceased: Abraham Lansing, G. L. Stedman, E. J. Miller, J. C. Cook, J. J. Olcott, A. V. DeWitt, S. Wood, R. W. Peckham, Jr., and S. Hand.

Adjourned.

Resolutions and Proceedings of Public Bodies.

At a special meeting of the trustees of the State Street Presbyterian Church of Albany, held June 3d, 1863, the following memorial was ordered to be entered upon the minutes:

"Died—May 12, 1863, at Camp Bonnet Carré, near New Orleans, of typhoid fever, Richard M. Strong, Adjutant of the 177th Regiment N. Y. S. Volunteers, in the 28th year of his age."

The Board of Trustees of the State Street Presbyterian Church, assembled in view of this sad event, desire to place upon record their heartfelt sorrow at the death of their associate.

1. Called away in the bloom of his manhood — with rare powers of mind and heart devoted to the service of his God and his country — with prospects of immediate and future honorable usefulness clustering about him — with the hopes of soldiers in the camp and friends at home centering in him — with the love of kindred and friends

clinging to him; — we can not refrain, because of the loss to ourselves and others, from mourning for him.

2. Remembering all that he was, and all that he had already done in his short life, that he was an accomplished scholar, a sound and successful lawyer, an ornament of social life, an efficient and idolized officer of his regiment, a conscientious, noble and active Christian gentleman; and especially remembering, as it becomes us to do, his prudent and efficient agency in the organization and management of this Church, — we shall cherish his memory with gratitude, pride and tender affection.

3. Remembering how in this war for our country's integrity, he was willing to sacrifice his interests at home— and with no blind and thoughtless rashness, but with calm and deliberate foresight, to put his life in peril — how earnestly he labored, in the face of every discouragement, for the organization and outfit of his regiment, how patiently and efficiently he has since devoted himself to its care and management, and how he has been rewarded with the affectionate admiration and gratitude of his soldiers, — we hesitate not to name him among the honored and lamented dead of this rebellion.

4. To his afflicted father and mother and other relatives we tender our deepest sympathy. God have mercy upon them, and comfort them in this bereavement. To them, as to us, it will be sweet — it will be a consolation to recall his noble and upright character, his countless deeds

of kindness, his patriotic sacrifice, his unspotted reputation as a citizen and a soldier, and his Christian life and death.

ROBERT L. JOHNSON, President.

JOHN C. MCCLURE, Secretary.

At a special meeting of the Alpha Sigma Society held June 3d, 1863, the following preamble and resolutions were adopted:

Whereas, God in his infinite wisdom has taken from this world, our brother Richard M. Strong, President of this Society, and has pronounced his work finished, when to us it seemed that his career of usefulness had but just commenced; and

Whereas, This society has lost one of its most active members, and each of us, as members, a most cherished and loving friend; therefore

Resolved, That while we deeply feel this heavy affliction, we the companions of his boyhood are rejoiced to bear witness to his consistent life, his high moral purpose, his virtue, honor and integrity; to his untiring industry, his great natural and acquired attainments; to his unwearied perseverance which overcame all obstacles, and to that nobleness of character and geniality of disposition which caused his friends to love him and all to respect him.

Resolved, That while we deplore his early death, we are thankful for the example of his life; a life filled with

the grandest purposes and animated with the highest motives; a life true to himself, his country and his God; the noble record of which, even as we but partially know it, shows that he has not lived in vain.

Resolved, That we tender to his family our most heartfelt sympathies, praying that God, in his mercy, may show them the silver lining to the dark cloud which now overshadows them, and transfer their thoughts from their loss to his everlasting gain.

ERNEST J. MILLER, Vice-President.

R. V. De Witt, Recording Secretary.

At a meeting of the Albany Zouave Cadets, held June 5th, 1863, the following preamble and resolutions were adopted:

Whereas, We have heard, with the deepest sorrow, of the death of Adjt. R. M. Strong, of the 177th Regiment, N. Y. S. V., a member of our company, and one of our most estimable citizens; therefore,

Resolved, That while we bow submissively to the ordination of Providence, by which one of our most active and efficient members has been taken from us, we desire to bear testimony to the zeal and fidelity with which he ever discharged his duties as a member of this company.

Resolved, That, although we mourn his death with unaffected sorrow, and while we feel that the loss of one so intimately identified with us in the organization of this

Company is irreparable, still we rejoice to know that he fell at the post of duty in the cause of our beloved and suffering country; and that having thus freely yielded up his life in the bloom and strength of manhood in a cause so holy, we shall ever cherish his memory with just pride and gratification.

Resolved, That in the sacrifices he made in his relinquishment of business, and the comforts of a home in which he was beloved, and of society in which he was honored, in his willingness to accept the perils and hardships incident to the life of a soldier, he has bequeathed to us a bright example of lofty patriotism and unselfish devotion to duty.

Resolved, That to his afflicted parents, to his anxious friends, and to the 177th Regiment, in which he was universally beloved, we extend our warmest sympathy; and that a copy of these resolutions be sent to his parents, to his regiment, and also that they be published in the papers of this city.

A. C. JUDSON, Chairman.

D. S. Benton, Secretary.